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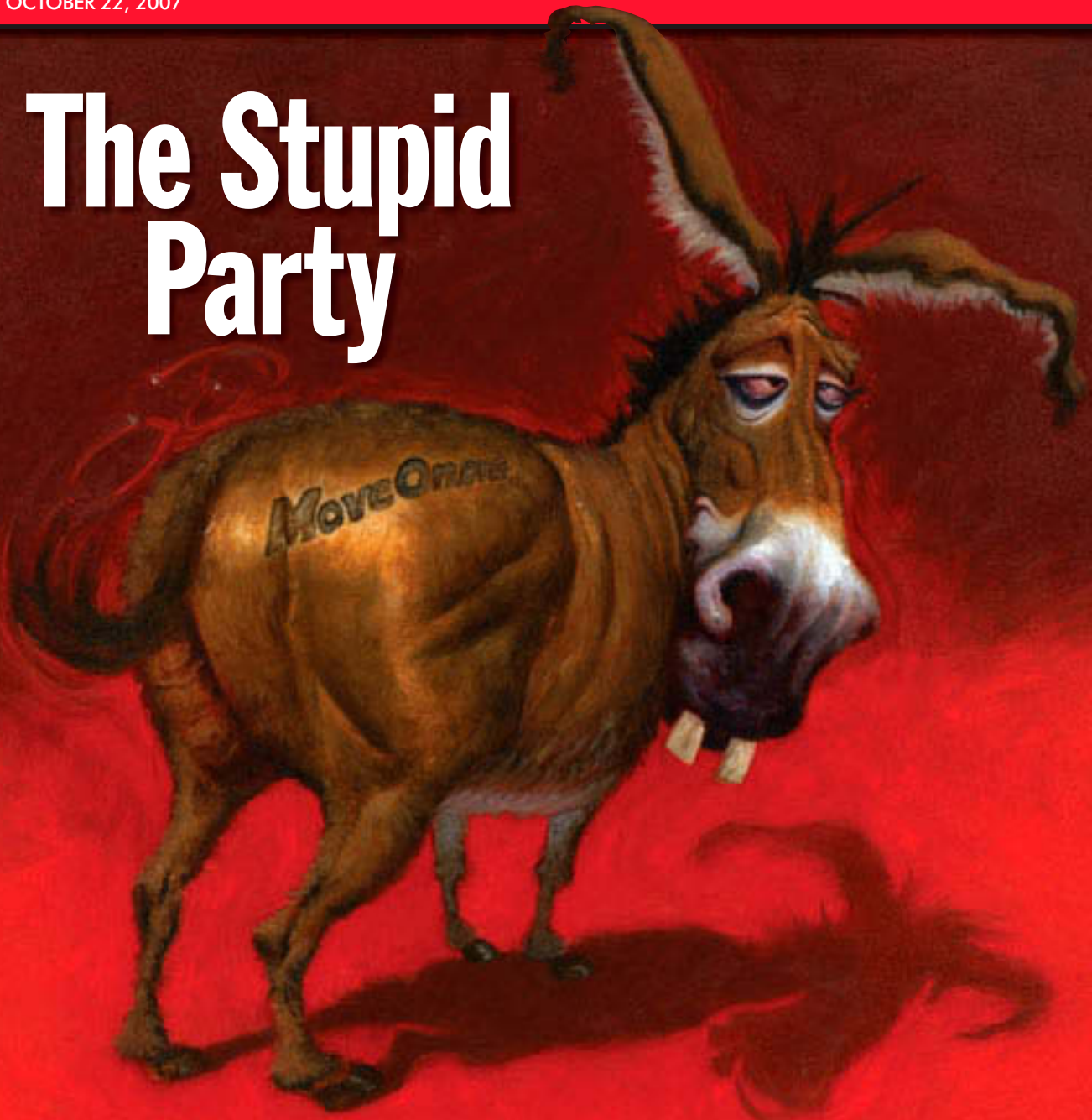
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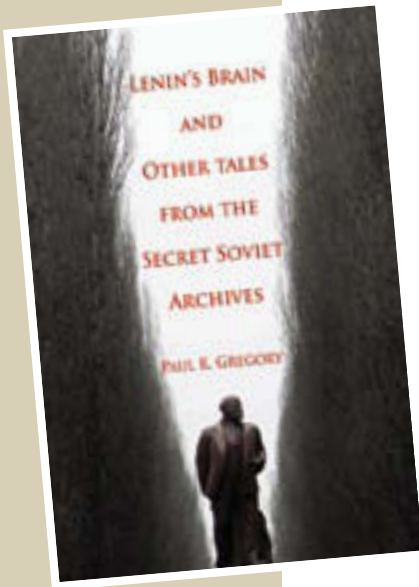
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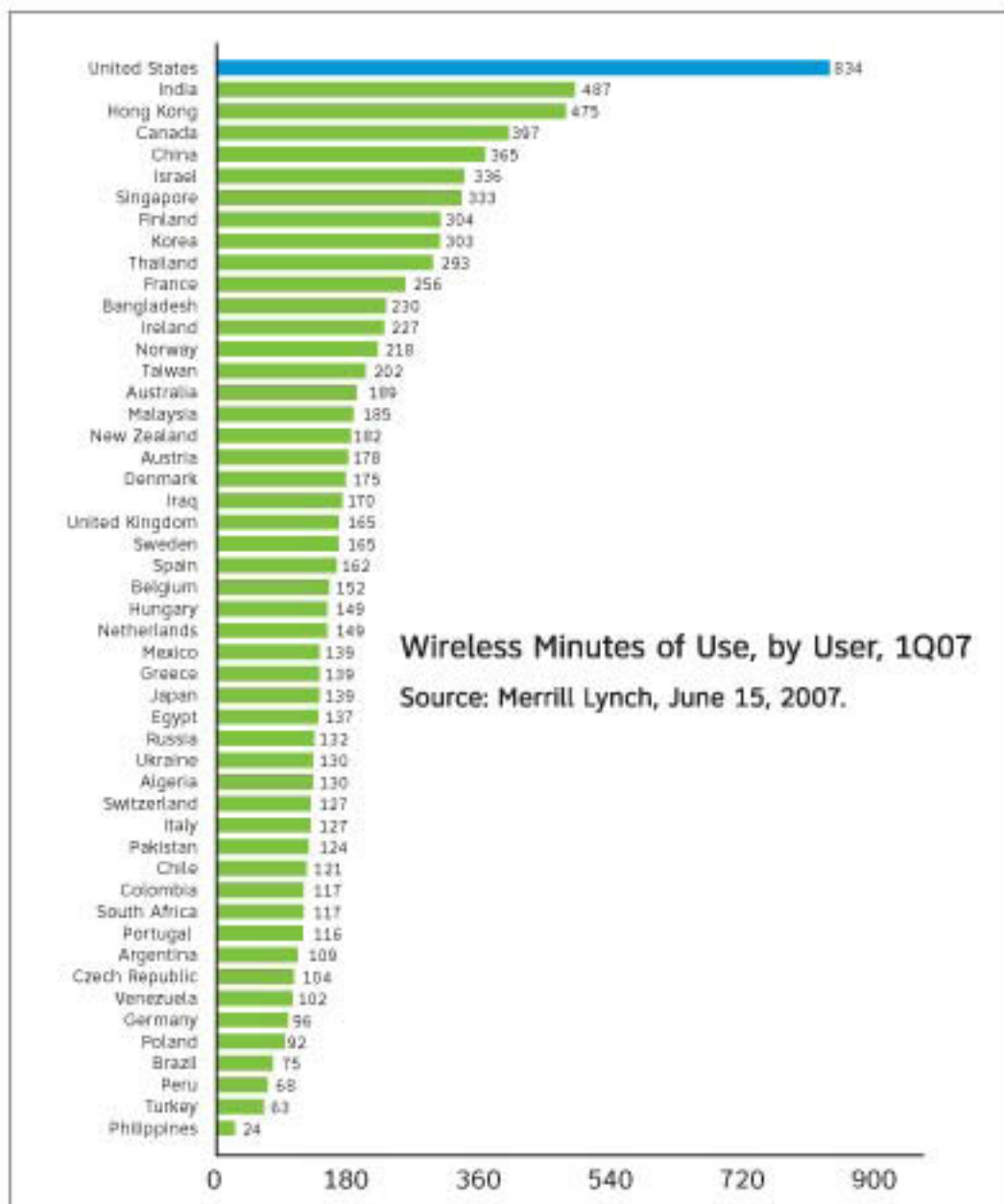
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# Phony Hate Crimes Watch

Students at George Washington University awoke the morning of October 8 to a campus blanketed in posters that blared, “HATE MUSLIMS? SO DO WE!!!” The posters depicted a “typical Muslim” with “lasers in eyes,” “venom from mouth,” a “suicide vest,” and a “peg leg for smuggling children and heroin,” and purported to be an advertisement for Islamo-Fascism Awareness Week, an event Young America’s Foundation in conjunction with David Horowitz’s Freedom Center is hosting at GW and campuses around the country to bring attention to the threat of radical Islam.

Before you could say *hate crime!* the president of the YAF chapter had been asked by a university bureaucrat to sign a letter condemning hate speech, and was summarily dragged before a “peace forum” where he was booed and hissed by 100 of his inquisitor-classmates for suggesting, while he defended his group, that a minority of Muslims, however small, support radicalism and terrorism. Just as quickly, the story of an anti-Muslim hate crime at GW popped up on *IslamOnline.net* and reached papers as far away as India

and Pakistan. Steven Knapp, president of the Washington, D.C., university, issued a statement: “We do not condone, and we will not tolerate, the



dissemination of fliers or other documents that vilify any religious, ethnic, or racial group.”

For what it’s worth, THE SCRAPBOOK isn’t sure if President Knapp was playing dumb or simply being dumb. Had

he read the fine print on the posters, he would have seen that a group called “Students for Conservativism-Awareness” claimed responsibility and had posted a link to an antiwar video on the Internet. Even the *Washington Post* was quick enough on the uptake to caution in the headline of its story that “Posters May Be Intended to Mock Conservative Group.”

Sure enough, seven left-wing students admitted responsibility the next day. What a horrible misunderstanding it all was! The seven were shocked that some didn’t understand the posters aimed to satirically vilify conservatives, not Muslims. Knapp seemed to sympathize, telling the student newspaper: “I understand that whatever their intent may have been, they also need to appreciate that it caused pain to members of the Muslim community.”

If it’s not too much to ask, THE SCRAPBOOK would like President Knapp to join in a thought experiment. Pretend that the posters had read “HATE JEWS AND CHRISTIANS? SO DO WE!!!” and purported to be the handiwork of the Muslim Students’ Association. How would he have responded? ♦

## Irrepressible Jimmy

THE SCRAPBOOK has a weakness for feisty senior citizens—raging grannies, two-fisted geezers, sprightly Notch Babies, etc.—and so has lately taken special notice of 83-year-old Jimmy Carter, whose public pronouncements on the Bush administration have shown an increasing lack of—well, inhibition.

Of course, Carter’s superlatives have always had a surreal quality about them: Back in 1976, when he was running for president (and was a mere whipper-snapper of 52), he referred to the U.S.

tax code as “a disgrace to the human race” and touted himself in a campaign autobiography with a title that oozed Christian modesty: *Why Not the Best?* The following year he reviewed the evidence of corruption against his Georgia pal and soon-to-be-ex-budget director, Bert Lance, and told a White House press conference, “Bert, I’m proud of you.”

But as the decades have added up, and the galling memory of his 1980 loss to Ronald Reagan has festered in Carter’s nuclear engineer’s brain, it would seem that the machinery has

begun to falter a little, and there’s been a meltdown in the reactor. That’s an oblique way of saying that Carter’s critical comments about political adversaries, always pointed, now feature an especially nasty, frequently personal, tone. He snarls things publicly that very few former presidents, in living or historic memory, would ever have said about any successor administration.

Case in point is his recent complaint to the BBC that Vice President Dick Cheney has been “a disaster for America”—a little sulphurous, but still within the boundaries of contemporary



(Classic Steiner, reprinted from our issue of September 21, 1998)

discourse—followed by the disjointed observation that Cheney is “a militant who avoided any service of his own in the military and he has been most forceful in the last 10 years or more in fulfilling some of his more ancient commitments that the United States has a right to inject its power through military means in other parts of the world.”

If it weren't for the fact that this remarkable sentence was delivered with Carter's customary combination of fury and piety, *THE SCRAPBOOK* would be tempted to laugh. But apart from the mysterious—or maybe not so mysterious—allusion to “ancient commitments,” we were struck by Carter's gra-

tuitous assertion that Cheney “avoided any service of his own in the military.”

This is not the first, nor will it be the last, time that *THE SCRAPBOOK* is obliged to point out that some of the greatest Democratic war presidents in history—James Madison, James Knox Polk, Woodrow Wilson, Franklin D. Roosevelt—could also be described as “militant[s] who avoided any service of [their] own in the military,” and that Carter's point is an irrelevancy.

When he ran for president, it did not go unnoticed among some veterans of the Second World War that Pearl Harbor had been attacked when Jimmy Carter was in his 18th year, and that

he spent the duration of the conflict in safe harbor at the Naval Academy in Annapolis, Maryland, graduating in 1946, a full year after the fighting had ended. That, too, was an irrelevancy. Carter wasn't fit to be commander in chief, but his military record had nothing to do with it. ♦

## Good Night, Dan, and Good Luck

Howard Kurtz's new book *Reality Show* is mostly about the anointing of the latest crop of network news anchors, Brian Williams, Charlie Gibson, and Katie Couric. But in the course of this tale, the *Washington Post's* media reporter also gives us great backstory on our favorite journalistic heel, ex-CBS anchorman Dan Rather.

Much of the Rather material is a rehash of the Thornburgh-Boccardi report commissioned by CBS to limit the damage from its use of a forged document in a broadcast on George W. Bush's National Guard service. But Kurtz has two fresh tidbits. The first is that on the night before the Texas Air National Guard story was scheduled to run, Rather was told that the network wasn't promoting the story because there was still a chance it might be held. In a fit of pique, he warned the *60 Minutes Wednesday* executive producer that if the segment didn't air, he'd leak one of the documents from the piece to the *New York Times*.

The second gem Kurtz unearths is a story about Rather in his waning days at CBS. Feeling beset by enemies on all sides, Rather looked for solace wherever he could find it. Kurtz reports, “He had been to see *Good Night and Good Luck*, the George Clooney film about [heroic anchorman Edward] Murrow, five times, sometimes sitting in the darkened theater by himself.” ♦

# Casual

## NO MAN-CHILD LEFT BEHIND

**L**ike many a good research-monkey in Washington last week, I found myself combing through the fine points of the State Children's Health Insurance Program bill. Reading the proposed law online, I learned it would not only extend insurance coverage to families making 300 percent of the poverty level, it would also define a "child" as anyone 25 years of age or younger. I did a little math in my head and—*cha-ching!*—realized I too could qualify for insurance under S-chip, as a single 22-year-old man (oops, I mean child) making less than \$30,630, which is three times the poverty level for an individual.

For a fleeting moment, I was worried. Getting in line for the government dole might make me a conservative hypocrite, complicit in nationalizing health care and raising taxes on smokers, who will pay for S-chip's expansion through a new 61 cent tax on every pack of cigarettes. But I felt justified when I remembered that, as a year-long Collegiate Network "fellow" at THE WEEKLY STANDARD, rather than a normal, if lowly, staff member, I'm stuck shelling out \$45 a month for catastrophic health insurance, while all my colleagues suckle at the teat of News Corp.'s health care plan—a plan that, unlike the insurance I conservatively choose to buy, is effectively subsidized with a federal tax break.

Alas, my dream of becoming a welfare-king was short-lived. As I returned to pointing and clicking my way through the S-chip bill, I realized I had been reading the original S-chip bill sponsored by Representa-

tive John Dingell. That bill had died in the House. The bill that Congress actually passed and President Bush vetoed defines a "child" as a person who does not "exceed 21 years of age." Having exceeded 21 back in January, I'd missed the cut after all. Ticked off, I couldn't understand why elite congressmen had callously abandoned millions of middle-class



twenty-somethings like me—hard-working Americans who know what it feels like to go to bed sober many nights.

So, I set out to discover who on Capitol Hill had robbed me of three years of congressionally mandated childhood. This proved a bewildering quest.

Nancy Pelosi's spokesman, Nadeam Elshami, didn't give me any names, and he even insisted the age cap was 18 and always had been. He wrote in an email that the bill's language defining a child as someone younger than 22 "deals with Medicaid, not S-CHIP." I replied that the relevant section of the bill repeatedly refers to Medicaid *and* S-chip. Later, off the record, a Democratic Senate staffer gave me a plausible explana-

tion for how the language, despite its apparent meaning, could actually leave the age cap at 18. So I pressed Pelosi's spokesman for an explanation on the record. He didn't reply.

I called Democratic congressman Charlie Rangel, the sponsor of the S-chip bill Bush vetoed. When he got back to me, I asked him whether he knew what the age cap was. "No, I don't," he said. "I would expect that it's an age commonly referred to as a child." I asked if he would object to setting the age cap at 25, and Rangel told me: "It doesn't sound like a children's bill at 25." He hardly seemed an advocate for big kids like me.

Republicans were just as hazy about the age cap. The White House press office didn't know. Congressman Tom Davis, a Republican from Virginia who supports the bill, said in a phone interview: "I can't tell you exactly, but I think it's under 18."

But what if it's not, and the bill covers 21-year-olds, I asked? Davis conceded, "That's not unreasonable." So would raising the cap to 25 be a deal-breaker for him? "Twenty-five would not make or break it for me," he said, "but if you

went any higher I think it would."

With Rangel unsupportive and Davis tepid at best about insuring man-children, I decided I would have to resign myself to the status quo: scrimping to buy my own insurance and budgeting for the possibility of unexpected medical costs. Granted, my annual out-of-pocket health care expenditures usually equal the price of a big bottle of NyQuil plus a pack of bendy straws. But that's no guarantee.

Then again, I don't really know what I'd do with the money I'd save if the government gave me health insurance. I guess I could take up smoking. Somebody's taxes have to pay for S-chip.

**JOHN MCCORMACK**



# Correspondence

## HILLARYCARE 2.0

REGARDING FRED BARNES's editorial ("S-Veto It," October 8) exposing the fallacy that mandatory health insurance is analogous to mandatory auto insurance, I would like to point out that by law (at least in Colorado) you are required to carry only liability auto insurance. Collision, comprehensive, and medical are up to you. Hence, mandatory auto insurance is only to cover the "other guy" when I do something stupid. Whether or not I care to cover my 1989 Chevy Caprice station wagon for collision and comprehensive is up to me. HillaryCare 2.0 would mandate that I cover myself. Big Brother (or in this case Big Sister) is once again trying to protect me from myself.

SCOTT EUGENE FARLEIGH  
Thornton, Colo.

## ON THE ROAD, AGAIN

I ENJOYED TED GIOIA's thorough and thoughtful essay on Jack Kerouac ("Fifty Years On," September 24).

GIOIA RIGHTLY STATES, "*On the Road* is a book of broken dreams and failed plans." Of course, that is par for much of life. And Gioia points out the trouble from the start, and might have mentioned that for quite some time Sal Cassidy takes the wrong road, the lightly traveled U.S. 6 instead of U.S. 30. That's the sadness of Kerouac's life for me: the wrong road from the start.

For my money, Kerouac's prose in the story "October in the Railroad Earth" is unrivaled anywhere as quintessential beat, superlative stream-of-consciousness, and melodic, hard driving American prose poetry at its best. If redemption

were based on works, some of those lines would be enough. May grace abound for Kerouac, Cassidy, and the rest of us.

BOB BOOMSMA  
Madison, Wisc.

## GET A (REAL) LIFE!

I FOLLOWED JONATHAN V. LAST's article exploring the virtual world of Second Life ("Get a (Second) Life!" October 1) right up until he wrote: "You can see why reporters and corpo-



rate honchos and foundation presidents get excited." I'm afraid I still don't get the point of it. I can understand reading news on the web. I can understand porn on the web. I can understand Amazon.com. I can understand eBay. I cannot understand people pretending to live on the web. These people need to get a real life. I'm 62 years old and not retired. In the last nine months, I swam three miles non-stop, got a new dog, and took

up playing the sax. I have neither the need nor the time for a "Second Life."

EDWARD L. SCHREMS  
Norman, Okla.

## DEFINING JAMES DOWN

DAVID KLINGHOFFER's effort to buttress faith with a few selected snippets from William James ("James's Faith," October 8) neglects the overwhelming import of James's *The Varieties of Religious Experience*.

James wrote: "The pivot round which the religious life revolves, as we have traced it, is the interest of the individual in his private personal destiny. Religion, in short, is a monumental chapter in the history of human egotism."

Pragmatism is James's way of accommodating human vanity by proclaiming that objective truth is unnecessary to the ego and that fantasies are more easily obtained, contending essentially that all we really need is to feel good about our importance in the scheme of things.

I dispute the notion that humanity can be summed up quite so easily as is implied by Klinghoffer's review.

MAX COHEN  
Dublin, N.H.

• • •

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# Cheer Up!

Republicans are downcast, depressed, and demoralized. Bush is unpopular. Cheney is even more unpopular. Scandals continue to bedevil congressional Republicans, and it's hard to see the GOP taking back either the House or Senate in 2008. History suggests it's not easy to retain the White House after eight years in power (viz. the elections of 1960, 1968, 1976, and 2000). And the Republican presidential candidates seem problematic, each in his own way.

Meanwhile, the Clinton coronation proceeds apace. Normally sensible commentators discourse on her Hamiltonian qualities and on today's liberals' Burkean ways. (If Hamilton and Burke weren't so used to having their memories misappropriated, they'd be spinning in their graves.) The American people, it's presumed, are too befogged by the mainstream media to see through pathetic Democratic stunts like rolling out a not-poor 12-year-old to read a radio script making the case for government-provided health insurance for allegedly poor children. And then Al Gore wins the Nobel Peace Prize. It's too much to bear.

Well, fellow conservatives—grin and bear it. And cheer up! After all, among other recent American winners of the "Peace" prize were Jimmy Carter in 2002 and the International Physicians for the Prevention of Nuclear War in 1985. These turned out to be pretty good contrarian indicators for how the American people would vote in the next presidential election—to say nothing of what actually produces peace in the real world.

In that real world, conservative policies are working fine, and liberals are providing little in the way

of alternatives. The Bush tax cuts have been thoroughly vindicated: National wealth is up, unemployment is down, and the federal deficit is lower than the day the 2003 tax cuts were passed (though the Bush administration seems incapable of explaining any of this). The Republican-passed Medicare prescription drug benefit is working well and coming in under cost. And does anyone lament

the fact that the last big Democratic idea—HillaryCare—failed to become law? Would American health care be better off if Republicans had rolled over and let it pass?

On the Hill, we're about to have a big debate over eavesdropping and wiretapping—areas where Bush's policies have kept the country safe, and helped foil terror plots abroad too. The Democrats haven't figured out that they are being led over a substantive and political cliff by the ACLU. Bush's two Supreme Court appointments are turning out to be exemplary—the Court should be a big issue in 2008—and Clarence Thomas's memoir is the No. 1 bestseller in America.

Have you noticed we're winning the war in Iraq—despite the assurances of Democrats, including their Senate leader, that the war was already lost? It's going to become increasingly clear in the next year that the problem with the Bush administration has not been too much force, too much strength, too much support for democrats abroad. The problem, especially in the second term, was too little of all these. Bush's first-term policies liberated Afghanistan and Iraq, convinced Libya to give up its nuclear program and Pakistan to stop proliferating, and inspired liberal, democratic forces in Lebanon and Ukraine. Passivity (outside of

While a half-term senator and a one-term senator fight it out for the Democratic nomination, the GOP candidates include an experienced senator who's a war hero, the most successful political chief executive in recent times, an impressive businessman/governor, and a canny lawyer/senator/actor with Washington experience and a nice, middle-American background and manner.



MCCAIN, REUTERS; GIULIANI, REUTERS; ROMNEY, UPI; THOMPSON, CONSOLIDATED NEWS PHOTOS

Iraq) in his second term emboldened dictators from Iran to Syria to North Korea to Burma. But the solution to the failures of the Bush administration is a reinvigorated conservatism, strategically grounded and competently executed, accompanied by a thoroughgoing conservative/neoconservative (Burkean/Hamiltonian!) reform of the institutions of the U.S. government so as to secure America's interests in a dangerous world.

The Democratic nominee looks likely to be either Hillary Clinton or Barack Obama. Hillary is furiously triangulating (it's a family tradition), criticizing Obama for saying he'd meet with the Iranian mullahs and then saying she would, voting for a hawkish resolution on Iran then cosponsoring a dovish one. But even Bill's triangulation got him only 43 percent of the vote in 1992 and 49 percent in 1996—and in terms of political skills, Hillary's no Bill. Obama, for his part, seems no more experienced in dealing with serious affairs of state than Jimmy Carter did in 1975. Obama could conceivably follow in Carter's footsteps and get the nomination—but America learns from her mistakes.

That's partly because the GOP nominee will be stronger than Gerald Ford (with all due respect to the memory of that decent man, who would have been a better president than Carter). While a half-term senator and a one-term senator fight it out for the Democratic nomination,

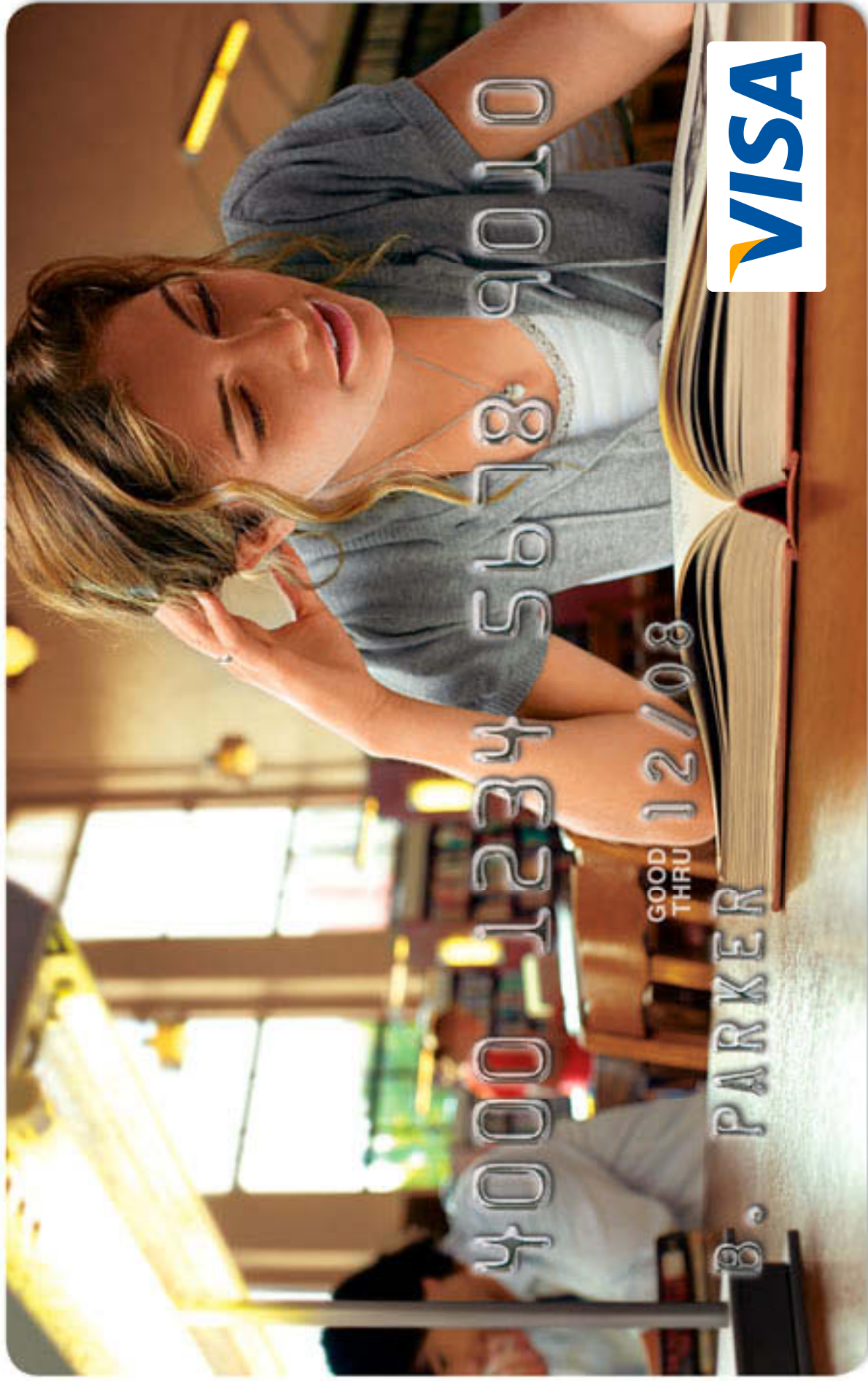
the GOP candidates include an experienced senator who's a war hero, the most successful political chief executive in recent times, an impressive businessman/governor, and a canny lawyer/senator/actor with Washington experience and a nice, middle-American background and manner.

Here's what's likely to happen: When the nominees are selected next year, the Republican will be behind—just as the GOP nominee trailed, at various times, in the 1980, 1988, 2000, and 2004 campaigns. Then the Republican will rally and probably win. Look to 1988 for a model: a tired, two-term presidency, a newly invigorated Democratic Congress causing all kinds of problems for the administration, an intelligent, allegedly centrist Democratic nominee, and a bruising Republican primary with lots of unhappiness about the field of candidates. This resulted in a 17-point early lead for Michael Dukakis over George H.W. Bush, but an eventual Republican victory. True, the current Republican incumbent, George W. Bush, isn't Ronald Reagan. And the 2008 Republican nominee is going to have to chart his own path to victory. It will be a challenge. But it's a healthy one. Let McCain, Giuliani, Thompson, and Romney have at it. The competition will be good for them and good for the party, ensuring that the winner will be up to the task both of winning the presidency and leading the country.

—William Kristol



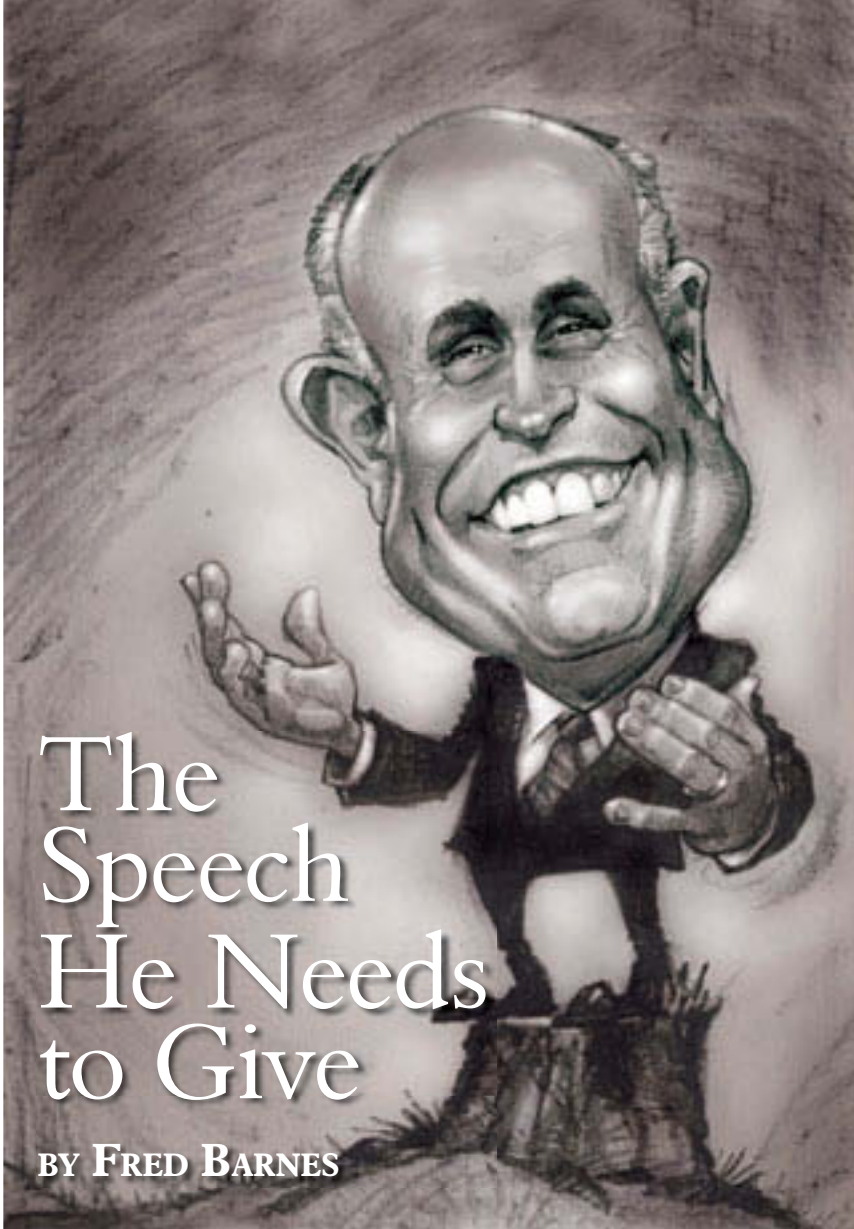




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# The Speech He Needs to Give

BY FRED BARNES

**R**udy Giuliani has a problem. It's bigger than he imagines and could doom his presidential prospects. The problem is his pro-choice position on abortion. It's one he cannot finesse by simply saying he "would keep the balance exactly where it is now." That means abortion would remain legal, limited only by a few minor restrictions. For social conservatives in the Republican party—millions of them, I suspect—that situation is unacceptable.

Given Giuliani's skill as a campaigner, he might overcome the abortion problem in the Republican caucuses and primaries. He doesn't need

to win a majority to capture the presidential nomination, just finish first in most of the contests. But the general election is another matter. In it, he'd probably have to get 50 percent of the vote, or close to it, to defeat Hillary Clinton or any Democrat.

That's where the social conservatives come in. If Giuliani is the Republican nominee—and he's the frontrunner at the moment—a pro-life candidate is bound to run on a third party ticket. Richard Land, a prominent Southern Baptist leader, says the pro-life presidential effort would be "significant." The question is how significant.

In 2000, Ralph Nader won only 2.74 percent of the vote nationally, but he got enough votes in Florida to keep Al

Gore from taking the state and becoming president. Of course this assumes most Nader voters would have voted for Gore over George W. Bush had Nader not been on the ballot. It's a fair assumption. Land believes a pro-life candidate in 2008 would be more formidable than Nader was in 2000.

Social conservatives are a major constituency in the Republican party and for them abortion is a paramount issue. Were a few million to bolt in 2008, either by voting for a right-to-life candidate or not voting for any presidential candidate, Giuliani probably could not win in the general election. A recent Rasmussen poll echoes this point. It found that 27 percent of Republicans would vote for a third party candidate backed by social conservative leaders if Giuliani is the Republican nominee.

Giuliani has softened his pro-abortion position. He now supports both a ban on partial-birth abortions and the Hyde amendment, which bars federal funding of abortions in most instances. He says he wouldn't try to repeal the pro-life plank that's been in the Republican platform since 1980. But social conservative leaders such as Tony Perkins of the Family Research Council and Gary Bauer of American Values insist Giuliani is nowhere near to satisfying them. And they are beginning to speak out forcefully on Giuliani's candidacy.

They dismiss Giuliani's vow to nominate "strict constructionist" justices to the Supreme Court as, in Perkins's words, "not enough." At the very least, Giuliani should elaborate on his plans for appointing conservatives, Perkins says. "He's got a hard sell," says Bauer. "It's going to take a lot more than he's done before." Perkins says Giuliani "gives social conservatives very little to be motivated on. There's a line we're not going to cross and that's the life issue."

Perkins told reporters last week that he'd like to see a Giuliani "conversion on the road to Des Moines." That would involve embracing the pro-life position, as George H.W. Bush did after Ronald Reagan chose him as his running mate in 1980. Giuliani has

GARY LOCKE

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given no indication he'd be willing to do that.

Giuliani will have an opportunity to appeal directly to social conservatives at the Values Voter Summit on October 20 in Washington. The other Republican presidential candidates are speaking there as well, but Giuliani's appearance is the one most likely to affect the presidential race. He will be introduced at the event by Jonathan Falwell, son of the late Jerry Falwell, and there's a way he could assuage social conservatives and potentially minimize defections to a third party candidate—without reversing his pro-choice position. He would have to say something like this:

I fully accept the fact that the Republican party is a pro-life party. And though my personal view is different, I will make no effort whatsoever to change the party's stance and I will oppose any attempt by others to do so. If elected president, I pledge to do nothing—either by executive order or by signing legislation—that would

increase the number of abortions in America or make abortions easier to obtain. And I will speak out as president to discourage anyone from having an abortion. I further pledge that if reasonable legislation reaches my desk to reduce the number of abortions, I will sign the legislation or let it become law without my signature. And my administration will defend that legislation in the courts if necessary.

When I asked Giuliani last week about the elements of such a statement, he seemed receptive. Abortions declined in New York when he was mayor, and he suggested the same might happen nationally during a Giuliani presidency. And should Congress pass a bill repealing the Hyde amendment, he said he would veto it.

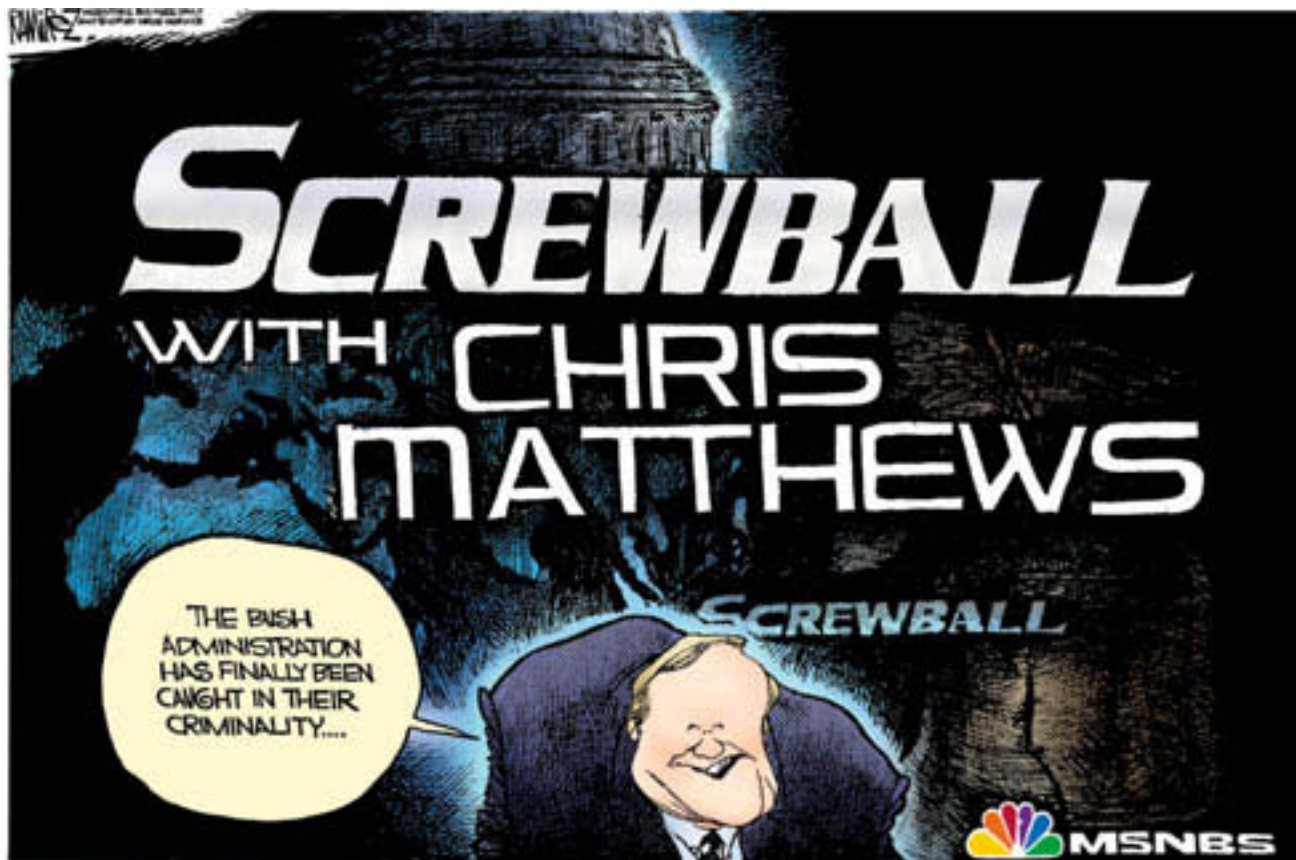
Perkins says such a statement would “help” to ease anti-Giuliani feeling among social conservatives. Bauer says it would be “a major step.” While Land acknowledges that Giuliani “could minimize the damage with statements like that,” he says that, as a

matter of conscience, he still couldn't vote for Giuliani.

If Hillary Clinton is the Democratic nominee against Giuliani, that will create a dilemma for social conservatives—but not as much of one as the Giuliani camp might think. Social conservatives won't vote for Clinton, who they see as intensely pro-abortion. “ABC, anybody but Clinton, is not enough to attract social conservatives” to vote for Giuliani, Perkins insists.

This is particularly true of young evangelical Christians. They tend to be independents who vote for Republican candidates because they're anti-abortion. A pro-choice Republican would have little appeal to them, even as the lesser of two evils. “It's not enough to scare them with Hillary,” says Bauer.

Giuliani told me that he and social conservatives “have the same goal in mind, a society with no abortions. We have a difference on how to get there.” Indeed, there is a difference, and that's the core of the problem confronting Giuliani. ♦



MICHAEL RAMIREZ

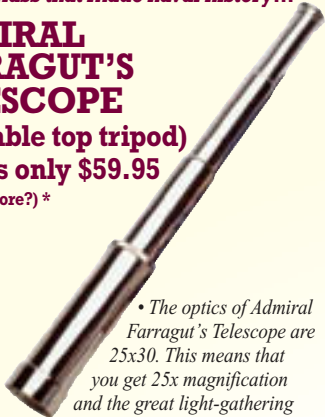


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# The Guldemann Memorandum

The Iranian “roadmap” wasn’t a roadmap and wasn’t Iranian. BY MICHAEL RUBIN

As relations between Washington and Tehran deteriorate, critics of the Bush administration are seeking to cast blame for the rocky relationship not on Iran’s nuclear program or support of terrorism, but on President Bush’s intransigence. At the root of the attacks is the administration’s supposed rejection of a May 2003 Iranian offer of a grand bargain to settle all outstanding disputes. “Basking in the glory of ‘Mission Accomplished’ in Iraq, the Bush administration dismissed the Iranian offer,” Peter Galbraith, a Democratic party activist and former ambassador to Croatia, wrote in the October 11 *New York Review of Books*.

The problem is that this argument is rooted in a fraud. The “Iranian Roadmap,” which was posted online by *New York Times* columnist Nicholas Kristof on April 28, was not an Iranian overture but the work of a disgruntled Swiss diplomat, Tim Guldemann.

I first met Guldemann at a 1999 dinner party at his Tehran residence, and he spoke of his desire to repair U.S.-Iranian relations. The Swiss ambassador in Tehran is charged with representing U.S. interests—basically passing messages between the governments—but Guldemann was more ambitious. He saw an opportunity to facilitate rapprochement, which he

said was hampered not by Iran’s support for anti-U.S. terrorist groups and violent opposition to the Camp David II process, but by the Clinton administration’s inflexibility.

Fast forward four years: Guldemann was nearing the end of his posting. With Iranian reform in



Tim  
Guldemann

retreat, he had little to show for his time—and blamed Bush and Iran’s supreme leader Ali Khomeini equally. Guldemann developed the one-page “roadmap” in conversation with Sadeq Kharrazi, the Iranian ambassador in Paris. It suggests Tehran would address Washington’s concerns about its weapons programs, its embrace of terrorism,

its efforts to destabilize Iraq, and its opposition to a two-state solution to the Israeli-Palestinian conflict. In exchange, Washington would refrain from pressing regime change, abolish sanctions, recognize Iran’s “legitimate security interests,” crack down on the militant Mujahedin al-Khalq (MKO), and give the Islamic Republic access to “peaceful” nuclear, biological, and chemical technology.

Kharrazi circulated the paper to senior Iranian officials with the caveat that it did not come from Washington, and Guldemann tried to use the Iranian response as “the basis for opening bilateral discussion.” The paper went nowhere; it was clear to all involved that it was Guldemann’s proposal and had little to do with Tehran.

Guldemann said in his cover memo and in meetings with a range of U.S. policymakers that the Iranian leadership agreed with 85 to 90 percent of the proposal, though he did not know which 10-15 percent they disputed.

Guldemann’s suggestion that the proposal came from Iran was bizarre. The United States and Iran were already deep in dialogue, with British foreign secretary Jack Straw as the high-level intermediary. In 2003, Iran’s U.N. ambassador, Mohammad Javad Zarif, met U.S. diplomats Zalmay Khalilzad and Ryan Crocker in Paris and Geneva. Indeed, Khalilzad met Zarif the day before Guldemann delivered his Iranian “breakthrough.”

Guldemann’s ignorance of these ongoing discussions exposed his fraud. John Bolton, then under-

secretary of state for arms control and international security, suggested to Colin Powell that the Swiss be formally asked to recall Guldemann for freelancing. The Swiss foreign ministry keeps a discreet silence, but Guldemann has quietly left the foreign service.

The facts notwithstanding, a coterie of former officials and lobbyists

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REUTERS PHOTO ARCHIVE

have seized upon the Guldemann memo. Flynt Leverett, a Condoleezza Rice appointee who left the National Security Council to campaign for John Kerry in 2004, has compared it to Mao Zedong's 1972 opening of China. Lawrence Wilkerson, Colin Powell's chief of staff, affirmed the Iranian offer to credulous journalists. Iran lobbyist Trita Parsi, a former aide to disgraced congressman Bob Ney, insists he alerted White House political strategist Karl Rove to the Iranian proposal. But Parsi, who trades on his close ties to the Tehran regime, was also unaware that the United States was already in talks with the Islamic Republic.

Journalists at the *Financial Times* and the *Guardian* used the Guldemann memo to bash Bush's alleged diplomatic ineptitude, the plotting of the neoconservatives, and the dark hands of Cheney and Rumsfeld. From there, it crossed the Atlantic. On April 29, 2007, Nicholas Kristof penned a column in the *New York Times* labeling the Bush administration's rejection of the Iranian offer "diplomacy at its worst":

A U.S.-Iranian rapprochement could have saved lives in Iraq, isolated Palestinian terrorists and encouraged civil society groups in Iran. But instead the U.S. hard-liners chose to hammer plowshares into swords.

In her new book, *USA Today's* Iran beat reporter Barbara Slavin suggests Paul Wolfowitz and Douglas Feith are to blame for scuttling the offer.

Regardless of who wins the White House in 2008, Iran will dominate the diplomatic agenda of the next few years. But policy must be based on reality: There was no Iranian offer in May 2003, but rather a Hail Mary pass thrown by an activist ambassador and pitched by limelight-seeking former officials to a receptive press. Almost seven years into the Bush administration, Tehran has yet to offer a single confidence building measure. Relying on a foundation of falsehoods only distracts from efforts to resolve disputes before they escalate into military action. ♦

# Fred Doesn't Flop

The blessings of low expectations.

BY STEPHEN F. HAYES

*Dearborn, Mich.*

**F**red Thompson did not drool on stage last Tuesday, and for that reason, among others, he is said to have survived his first Republican presidential debate. These are the blessings of low expectations.

But if Thompson did nothing to hurt his chances, he did little that would make an undecided voter decide. Some of his answers were jumbled and others filled with platitudes. A would-be voter who caught only the first hour of the two-hour affair might have wondered why there had been so much hype surrounding Thompson's long-awaited candidacy.

On the other hand, a viewer who caught only the second hour might have concluded that Thompson won the debate. His best moment—the kind of moment that will endear him to Republican primary voters—has been largely overlooked in the flood of post-debate analysis.

After a long back-and-forth about the value of unions, one of the debate's cohosts, CNBC's Maria Bartiromo, asked Thompson about an issue of particular importance to those in the audience.

"Senator Thompson," she said over some crowd noise. "Chrysler is facing a possible walk-out on Wednesday. Should the government step in and help Chrysler and the other automakers?"

The contentious dispute between Chrysler and the United Auto Workers had dominated the news in Michigan for weeks. Workers had threatened to walk off the job

if there were no new deal, and their deadline was Wednesday, the day after the debate. Chrysler's problems, and those of the auto industry in general, have contributed mightily to Michigan's economic struggles. It's safe to assume that for many Michiganders, the right answer to the question was yes.

"No," said Thompson.

"Why?" Bartiromo pressed.

"Well, I think the government has to have a good reason to step in. I think it has to be something that drastically affects our economy. . . . I don't think the government ought to step in and have people know that the government will step in if they walk out and create that kind of situation."

Later in the debate, Thompson fielded a "gotcha" question designed to test his knowledge of world affairs. Back in the fall of 1999, George W. Bush famously failed an impromptu pop-quiz on world leaders administered by a local Boston reporter.

MSNBC's Chris Matthews set up his question by emphasizing the relationship between the United States and Canada. Our northern neighbor is "our strongest trading partner," he said, before offering statistical support for his claim.

"Tell me about the prime minister of Canada," he continued. "How would you get along with—who is the prime minister of Canada?"

Thompson paused for a moment. "Harper," he said, adding: "We get along fine—we've never met." There was laughter, and Thompson seemed to relax. When Mitt Romney fought with Matthews to get out a canned joke about *Law and Order*—"It has a huge cast, the series seems to go on forever, and Fred Thompson shows up at the end"—Thompson

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joked back. “And to think I thought I was going to be the best actor on the stage.” (Asked whether he had waited too long to join the others in the debates, Thompson said he had not, adding: “I’ve enjoyed watching these fellas. I’ve got to admit it was getting a little boring without me.”)

In the spin-room after the debate, Thompson surrogate Jack Faris, former president and CEO of the National Federation of Independent Business, acknowledged that Thompson was a little rusty, having not engaged in a campaign-style debate in more than a decade. “That’s to be expected,” he said. “It was his first one.”

But national co-chairman Spencer Abraham, a former senator from Michigan, said that Thompson “more than exceeded expectations” and that he would be the beneficiary of the fighting between the two other leading candidates. “You have Romney and Giuliani up there cutting each other up,” said Abraham. “Fred was able to remain above the fray.”

At this early stage, the post-debate analyses matters more than the debates themselves. And while Thompson received mixed reviews, several commentators thought he did himself some good. Influential *Des Moines Register* columnist David Yepsen, critical of Thompson on the campaign trail, wrote that he offered “some specific answers in a cool, commanding style as he debuted in the first debate with his opponents.”

If most analysts were not quite as impressed by Thompson’s performance (Rudy Giuliani seemed to be the clear winner), few thought that he had bombed. Thompson advisers are wary of raising expectations—it is axiomatic that the chief task of every campaign before a debate is to keep expectations as low as possible.

But they say privately that their candidate will do better in the debate in Orlando on October 21, where the questions will be less focused on economic issues.

Plus, he has already shown he doesn’t drool. ♦

# The Bitterest Pill

Europe becomes less drug-friendly.

BY JONATHAN V. LAST

With its marijuana coffee shops, the Netherlands has a reputation for being the most drug-friendly country in Europe: the epitome of the continent’s permissive cultural attitude to illegal drug use. The Dutch have long favored “harm reduction” rather than law enforcement in their drug-related public policies, and many coffee shops have been able to flout what rules there are regarding the sale of cannabis.

In March 2006, though, the Dutch minister for justice, Piet Hein Donner, proposed an amendment that would make it easier to shut down shops selling drugs illegally—it is still under debate. Later that spring, he was not only able to defeat a parliamentary proposal to allow regulated, large-scale production of marijuana, but the legislature also raised the maximum sentence for large-scale marijuana cultivation. Last Friday, the Dutch government banned the sale and cultivation of magic mushrooms after a series of high-profile incidents. A justice ministry spokesman promised that the law would be enforced and coffee shops caught selling them closed down. The city of Rotterdam has also passed a law that will shut down nearly half of its “grow” shops.

By the late 1990s, the country had become the world’s largest producer of Ecstasy, a problem they have successfully tackled. In 2002 the government launched a five-year campaign against the drug. Production has fallen significantly and rates of use of Ecstasy (as well as marijuana, cocaine, and amphetamines) declined among Dutch teens from 1999 to 2003. The Netherlands, long the leader in legalization of soft drugs, is part of a wide

shift in European attitudes and laws on drug use.

Take Sweden. The 2007 *International Narcotics Control Strategy Report* notes that drug use in Sweden is a third the European average with only 12 percent of the adult population having ever used drugs. Yet even here the number of serious drug users fell 7 percent from last year and the percentage of high school students who have tried drugs—already low—dipped slightly.

Or Switzerland. It has some of the highest rates of cannabis use in Europe: In a population of 7.5 million, 500,000 Swiss are thought to use marijuana at least occasionally. Approximately 250,000 use it regularly, a 100 percent increase from a decade ago. In 2004, the Swiss parliament considered a bill that would have decriminalized marijuana use for adults (and set up a permanent heroin maintenance program for addicts). But spooked by a steep increase in users and a spike in drug-related crime (50,000 cases nationally, an all-time high), parliament rejected the measure.

Following the failure of the bill, a lobbying group collected the 100,000 signatures needed to bring legalization directly before voters as a ballot initiative. The vote won’t happen until 2009 or 2010, but it won’t be the first time voters will have been asked to legalize pot: A similar initiative was rejected—with 74 percent against—in 1998.

The biggest turnaround may have occurred in the United Kingdom, which ten years ago looked to be on its way to adopting the Dutch model. In 1997, the London *Sunday Independent* launched a loud campaign to legalize marijuana. The paper opined frequently about the issue and even sponsored a march in support of legalization, which attracted 16,000 activists. In 2001, the government’s

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*Smoke it while you can get it: the Greenhouse Coffee Shop in Amsterdam.*

Advisory Council on the Misuse of Drugs declared that “the mental health effects of cannabis are real and significant.” Three years later, marijuana was downgraded from a Class B to a Class C drug, essentially making possession of the substance permissible for adults.

Then researchers noticed that the drug was having a number of dangerous effects. In 1997, a survey showed 1,660 cannabis users entering treatment programs for addiction. Ten years later, that number had shot up to 22,000. By 2007, 1.5 million Britons were using cannabis, and this number was accompanied by a sizable increase in related mental and behavioral disorders.

Robin Murray, of London’s Institute of Psychiatry, explained to the *Independent* that a quarter of the population was particularly at risk for psychosis caused by the elevated levels of dopamine that come from cannabis use. Murray estimated that at least 25,000 Britons were suffering from marijuana-induced schizophrenia. As Antonio Maria Costa, executive director of the U.N.’s Office on Drugs and Crime, summarizes it: “The harmful characteristics of cannabis are no longer that different

from those of other plant-based drugs such as cocaine and heroin.”

In Britain, it has also become apparent that the semi-legalization for adults led to a spike in usage for minors. One precinct commander in East London said that the reclassification of the drug caused “extensive and expansive” increases in use by teenagers (for whom possession was still illegal). As Neil McKeganey of Glasgow University’s Centre for Drug Misuse Research explained, “Society has seriously underestimated how dangerous cannabis really is.” A July 2007 study in the *Lancet* reported that the use of cannabis leads to an increase in psychotic outcomes, including what researchers refer to as a “dose-response” effect—meaning that the more pot you smoke, the more at risk you are.

The *Independent* actually rescinded its decade-long call for legalization, running a package of articles pointing to the dangers of marijuana and an editorial regretting its earlier stance. Politicians who had previously supported the downgrading of marijuana, including Conservative party leader David Cameron, also reversed their positions. When he took office, Prime Minis-

ter Gordon Brown promised that he would explore reclassifying the drug.

In other countries, the backlash against drugs has been born out of grim necessity. Since the end of the Cold War, drug use in Russia has boomed. In 2006, Russia’s Federal Drug Control Service reported that over 100,000 citizens had died of drug addiction in recent years, compared with 30,000 in homicides and 35,000 in highway deaths. Nearly 5 percent of all crimes in Russia are now drug-related. Instead of pushing for legalization, Russia is trying to crack down on the drug trade, creating stiffer sentencing guidelines and making it easier to prosecute drug possession.

Still, some Europeans cling to the old line. Rosie Boycott, who as editor of the *Independent* initiated the paper’s legalization campaign, remains unpersuaded by the new data and research. The demonstrated dangers “do not change my mind about legalization,” she recently wrote. “Indeed, I now think full legalization to be more important, so that there can be sensible education about the possible dangers.”

Some people will hold out until the bitter roach. ♦

# Missouri Asks a Loaded Question

Saving quotas by fooling voters.

BY JENNIFER RUBIN

Ward Connerly delivered one of the big wins for conservatives on election day 2006—a lopsided victory (58-42 percent) for the Michigan Civil Rights Initiative, which banned racial and gender preferences in state university admissions and contracting and hiring.

Connerly is the nation's most visible proponent of measures to eliminate race-based preferences, having led the successful fight for Proposition 209 in California in 1996 and a similar measure in Washington state in 1997. With momentum from the 2006 victory, Connerly set out to qualify similar ballot initiatives in five states for 2008. He has hit a bump in the road in Missouri.

Leading the attack on him in Missouri is the Michigan-based group By Any Means Necessary (BAMN), whose national co-chair Shanta Driver summed up the attacks on Connerly:

A white-majority electorate does not have the right to codify in law white privilege and deny minorities their fundamental right to equality. This initiative, if passed, will re-segregate higher education in Missouri and legally ban the only policies that have been successful in creating equal opportunity and integration.

BAMN is the most vocal and extreme of Connerly's opponents—leading demonstrations that have turned violent and disrupting public meetings, labeling Connerly “the most notorious and fanatical right wing opponent of civil rights in

California” and filing suit to invalidate the Michigan voters' decision, claiming Connerly and his supporters engaged in voter fraud. BAMN repeatedly tried to remove Connerly from his position as a regent of the University of California because of his effort to remove race-based



Ward Connerly

admissions. “We want to deprive him of his ability to promote racism and segregation using the University of California name,” says Driver. (His twelve-year term ended in 2005.)

BAMN is having success in Missouri thanks to the Democratic secretary of state Robin Carnahan (daughter of former governor Mel Carnahan) and the attorney general, Jay Nixon. The ballot initiative that

Connerly sought to qualify in Missouri is identical to the successful Michigan one and reads as follows:

The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

That's not what will be in front of voters as they go into the voting booth if Carnahan has her way. After reviewing Connerly's language, she prepared the required state “ballot title”—the summary of the initiative that appears on the ballot. Carnahan's summary reads:

Shall the Missouri Constitution be amended to ban: affirmative action programs designed to eliminate discrimination against, and improve opportunities for women, and minorities in public contracting, employment and education; and allow preferential treatment based on race, sex, color, ethnicity or national origin to meet federal program funds eligibility standards as well as preferential treatment for bona fide qualifications based on sex?

Connerly sees the revamped language as “designed to prejudice the initiative.” “This was clearly not undertaken in good faith,” says Roger Clegg, general counsel of the Center for Equal Opportunity and longtime opponent of racial preferences. He notes that the initiative “does not ban all affirmative action—only that which uses preferences based on race, ethnicity, and sex.” Clegg concludes that what Carnahan is doing is “to distort the language in the initiative so people won't vote for it.”

Mindy Mazur, chief of staff for the secretary of state, told me that Carnahan complied with the state requirement of a 100-word summary without “prejudice for or against” the initiative. She repeatedly denied that the use of the term “affirmative action”

KENT LEMON

Jennifer Rubin is a writer living in Virginia.

represented any significant change from the original language (even though it refers only to “preferential treatment”). Mazur insisted that the effect of the initiative would be to “ban affirmative action” and that voters need to know “what they are voting on.”

Connerly finds it ironic that opponents of the initiative now equate “affirmative action” with “racial preferences”—something defenders of affirmative action went to great lengths to deny for many years, claiming to be interested only in “equal opportunity.” They have now dropped the fig leaf. In the past Connerly has defended affirmative action that is not race based, such as efforts to reach out to the economically disadvantaged, but if the secretary of state insists all affirmative action is really race-based then he will have no choice but to “characterize affirmative action the way they do.” “If the public sees affirmative action and race preferences as coterminous,” he says, “this does not accrue to the benefit of affirmative action proponents.”

The ballot title is now the subject of two lawsuits. Tim Asher, executive director of the Missouri Civil Rights Initiative—the measure’s local sponsor—has filed suit claiming that Carnahan’s language violates state law, which requires that the ballot title use “language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure.”

Opponents of the initiative have filed suit against both Carnahan and the state auditor claiming the ballot title is insufficient in that, among other things, it fails to mention that preferences on the basis of age, veteran status, and disability would be banned (none of these classifications were included in the language proposed by Connerly); that the fiscal note prepared by the auditor was insufficient; that it runs afoul of the single subject rule for initiatives; and that it violates federal statutes and the Constitution. The two suits are set for trial on October 30. Appeals—possibly all the way to the State Supreme Court—will keep both sides busy.

Mazur is confident that Carnahan will prevail, citing previous lawsuits in Missouri in which the courts deferred to the secretary of state’s summary language. The court has already denied the Missouri Civil Rights Initiative’s request to have Carnahan deposed. (Attorney General Nixon, who approved Carnahan’s language and is defending it in court, did not respond to requests for comment.)

Connerly knows that he faces an uphill battle to restore his original language to the ballot. When I ask him whether he will go forward with the initiative if the court challenge to Carnahan’s summary fails, he says that this is the “billion dollar question.” If he drops his efforts after the courts have upheld the objectionable language, he knows his opponents will claim a victory and assert that it is he who won’t go before the voters unless he gets to use “fraudulent language.” “My gut—but I have not come to the end of the road—tells me I think we’ll go [forward] anyway,” Connerly concludes.

He is committed to raising sufficient funds to “make the case that this perversion [of his initiative language] bespeaks of the larger issue about what affirmative action means.” He thinks “most people in the privacy of the voting booth will read between the lines. With only a little expectation, I think they’ll discern the facts.” He contends the vote will be close, “but we can still win on the language” crafted by the secretary of state. Tim Asher knows that voters are generally not familiar with a ballot initiative until they go to vote, and if the language seems extreme, or even confusing, they will be inclined to vote against it.

Connerly’s opponents, most particularly BAMN, are candid that their strategy is to keep these measures off the ballot because when they go before voters they have proven popular. By year’s end, it will be clear whether Connerly’s opponents in the Missouri ballot fight will succeed “by any means necessary” in preventing an up or down vote on the future of racial preferences. ♦

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“The punditocratic equivalent  
of the 1927 Yankees”

—Scott Johnson,  
*Powerline*

EDITED BY  
MATTHEW  
CONTINETTI



“I don’t believe Republicans are terrified about losing the presidency—hence the mediocre fundraising results for the GOP as a whole. And I don’t see Republican voters in a pragmatic mood. When coalitions are healthy, voters look at their party’s slate of candidates with an eye to finding something about each one of them to like. When voters are unhappy with their party, they become picky, perfectionist, and prone to finding things to dislike in each of the candidates. It’s a bad sign for a coalition when powerbrokers and would-be powerbrokers are busy pronouncing one or another of the candidates ‘unacceptable.’”

—Matt Continetti

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# A License to Leak

The unhappy consequences of a shield law for journalists. **BY GABRIEL SCHOENFELD**

**D**rip, drip, drip—secrets are leaking out of our government at the pace of Chinese water torture. In the most recent case, bureaucrats somewhere in the U.S. intelligence apparatus indirectly disclosed the existence of a unique operation, privately run, that was tapping into al Qaeda's web servers and, among other things, had obtained an advance copy of the most recent video of Osama bin Laden. In the wake of the revelation, al Qaeda immediately shut down its website network. The damage to our national security—the end of American access to one of the few windows into the workings of our most lethal foe—appears to be significant.

Who leaked the video to the press? The culprit or culprits in the bureaucracy are not talking, and neither are the journalists who received it from them and blared its existence to al Qaeda and the world. Because no officially classified information was evidently disclosed, there does not appear to have been any crime committed. It seems to be just a case of staggering misjudgment and/or pernicious self-promotion.

But speaking hypothetically, what if the information had been classified? Could anything have been done about it? Probably not. Leak investigations are notoriously unproductive; most generate nothing more than immense collections of legal files. But if a particular leak is deemed grave enough, the Justice Department does have one effective instrument at its disposal: the right to track down the leaker by

subpoenaing journalists and compelling them to disgorge the identities of their confidential sources. That is precisely what the special prosecutor Patrick Fitzgerald did in the Valerie Plame imbroglio, demanding of *New York Times* reporter Judith Miller that she spill the beans. When she failed to comply, he asked a court to hold her in contempt, which it did. She then sat in jail for 12 weeks until she had second thoughts and named Scooter Libby as her source.

Journalists profess to be traumatized by the very idea of such proceedings, which not only can end in their incarceration but also, they aver, will dry up the flow of information on which journalism depends. Confidential sources, they say, are the lifeblood of their profession. And if the promise of confidentiality can be pierced by prosecutors, many sources will decline to talk, our constitutionally guaranteed freedom of the press will be enfeebled, and the American public will be deprived of its right to know.

To protect this right, a battalion of newsmen, media conglomerates, and professional associations, and the blue-chip lawyers who represent them all, have been pushing for years for the passage of a “shield law” that would create a “reporter's privilege”—akin to the attorney-client and the priest-penitent privilege—which would exempt journalists from having to reveal their sources to grand juries or in other federal court proceedings. With the Democrats in control of Congress, the prospects for passage of such a bill are now better than they have been for a generation.

Already, committees in both houses of Congress have reported out shield-

law bills for consideration by their parent bodies. The bills have drawn a surprising degree of bipartisan support, passing the Senate Judiciary Committee, for instance, by a margin of 15 to 2.

But a shield law is a deeply flawed idea, and the implications of its passage are frightening to contemplate. For along with the public's right to know there is also something rarely spoken about, let alone defended: namely, the public's right *not* to know, which the shield law would undercut in a swoop.

**W**hat is our right not to know? The answer is simple, and coterminous with our right to protect ourselves from foreign dangers. Even during peacetime our national security depends heavily on a system of secrecy established according to laws enacted by Congress. In other words, when it comes to certain sensitive subjects in the realm of security, the American people, acting through their elected representatives, have voluntarily chosen to keep themselves *uninformed* about what the government is doing in their name.

Today, this choice not to know is much more important than in quiet times. The United States is at war. And we are not only at war, we are engaged in a particular kind of war, an intelligence war, in which secrets—in particular, our secret capabilities for finding and tracking our adversaries—are vital in determining whether some of us, civilians and military alike, will live or die.

But the U.S. government already has a very sorry record of keeping the secrets it has been assigned by the American people to protect. In recent years, the mass media, led by the *New York Times*, have ferreted out highly sensitive information from disgruntled bureaucrats and deployed it on news pages and on television screens to compromise *operational* counterterrorism programs like the CIA-Treasury effort to track al Qaeda finances through the SWIFT banking consortium, or the National Security Agency's program to intercept the communications of al Qaeda members with persons in the United States. Given the nature of the

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war we are in, these disclosures and the damage they inflict are the functional equivalent of reporting on the movement of ships in the midst of a naval battle.

It is notable that even without a shield statute on the books, stories about these highly classified intelligence programs, and many other equally harmful revelations based upon secret data, have been coming out at an accelerating pace. It would seem that more than a handful of officials with their own private agendas are not exactly afraid to break their oaths of secrecy and violate the law even if the Justice Department retains the right to threaten reporters with contempt citations and imprisonment to learn their identities. A major rationale for the passage of the shield law—that, in the absence of one, the public will be ill-informed—would seem to be without foundation.

Proponents of a shield have a ready rejoinder to that argument. Without a reporter's privilege, they say, we will never know about the many important stories that will not see the light of print. About this they are unequivocally right, and that is precisely the trouble with what they are proposing. For if the government already has difficulty keeping leaks from springing, a shield law would greatly exacerbate the plumbing problem, turning a steady drip into a flood. For all intents and purposes, the proposed law would immunize leakers from prosecution by making it utterly impossible to uncover and apprehend them.

It is true, of course, that both the House and Senate versions of the bill have an exception pertaining to leaks that bear on national security. In the only slightly less irresponsible Senate version of the bill, the shield offered to newsmen would fall away if a federal court found a "preponderance of evidence" that a reporter could provide information that would either prevent "a specific case of terrorism against the United States" or avert "significant harm to national security that would outweigh the public interest in news-gathering and maintaining a free flow of information to citizens."

A moment's reflection is all that is

required to grasp that this exception is almost meaningless. The U.S. government is not the only body in the world that strives to keep secrets. Indeed, some of our adversaries are far more secretive than we are. Given this reality, by what method, and on the basis of what information, would the courts go about assessing whether a particular leak had caused "significant harm" that would "outweigh the public interest in newsgathering"?

The answer is that, until we suffer significant harm itself—when it will be well past time to do anything about

Every foreign espionage service would rush to launch covertly operated publications—imagine, in the case of the Communist Chinese, the *Red Star over Washington Weekly*—to gain journalistic privileges for their agents.

it—there will be no method. The facts available to a court for rendering such a judgment would almost always be elusive, or highly classified themselves—and in the absence of a preponderance of evidence pointing to significant harm, the reporters would be permitted to remain silent about their sources and their leaker-accomplices in government could continue to endanger national security while protecting their careers.

Nor is that the end of the problem with the proposed shield law. For in seeking to protect journalists, the bill would raise a question that is harder to solve than any problem ever confronted by Albert Einstein: Who exactly is a journalist?

If the definition is drawn too broadly, the opportunities for mischief become legion. For one thing, every foreign espionage service would rush to launch covertly operated pub-

lications—imagine, in the case of the Communist Chinese, the *Red Star over Washington Weekly*—to gain journalistic privileges for their agents and exemption from the obligation to testify in courts of law. Domestic political extremists and organized criminals would do the same.

And if the definition is drawn too narrowly, so as to encompass only salaried professional journalists, a very different and even more disquieting set of problems arises. In the Supreme Court's landmark 1972 *Branzburg* decision, Justice Byron White memorably affirmed that, in our political tradition, "liberty of the press is the right of the lonely pamphleteer who uses carbon paper or a mimeograph just as much as of the large metropolitan publisher who utilizes the latest photocomposition methods." Freedom of the press, White continued, is a "fundamental personal right" that is not confined to newspapers and periodicals or any other instrument of the press.

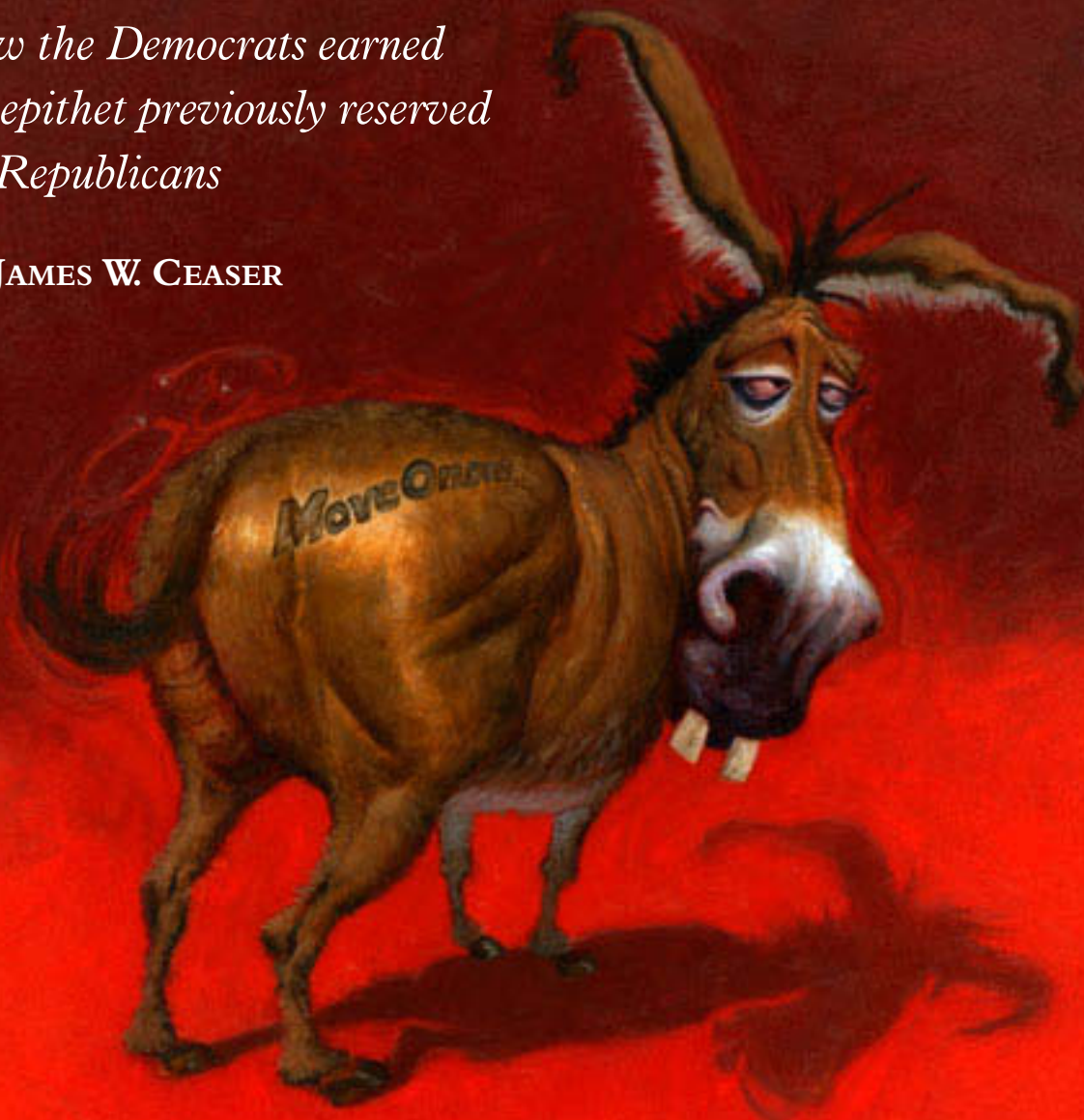
The preservation of this fundamental personal right is ultimately what is at stake in the debate over the shield law. If such legislation were to be enacted in the name of freedom of the press, narrowly defined, it would be a supreme irony. For a basic component of freedom of the press—the right of all Americans to be gatherers and purveyors of information—would then be well on its way to evisceration.

The journalists who are pushing for the shield law are thus engaged in a monumental act of impudence. They have already wrested from the American people, against their will as expressed in long-settled law and against their most central interest in self-preservation, the right to determine what remains secret in wartime. They are now asking the American people officially to recognize and ratify their position as an elite body of opinion shapers, so exalted in status as to be exempt from an ancient principle underpinning our system of jurisprudence—the public's right to hear every man's evidence when crimes are committed against the United States. ♦

# The Stupid Party

*How the Democrats earned  
the epithet previously reserved  
for Republicans*

BY JAMES W. CEASER



Twice during the past half century, the Democratic party has faced a challenge from its left wing. In the late 1960s, it was the mass movement of the New Left that rose up to defy the party's liberal-progressive core. Following a contest of ideas and of wills, the liberal center collapsed and briefly yielded control to its radical critics. The struggle today is strikingly different in tone, with the party's mainstream being bullied by a network of techno-thugs, spear-

headed by MoveOn.org. Nothing remotely resembling an idea or a sustained argument has surfaced in this conflict, and there is no danger that one ever will.

The Democratic party's convulsion in the 1960s can fairly be called tragic, in that it involved the fall of something worthy, however flawed. The party was the carrier of the great progressive tradition that stretched back from LBJ and JFK to FDR and ultimately to the progressive intellectuals John Dewey, Herbert Croly, and Charles Beard. These

THOMAS FLUHARTY

thinkers introduced the transforming idea of “social intelligence,” a concept that demanded the continuous application of rational government planning, under the aegis of social science, to the ills of the modern industrial age. Social intelligence was intended to direct and accelerate the forward course of history. The conviction that progress was certain, so long as social intelligence was deployed, was the premise underlying the entire project.

This way of thinking was largely intact in the 1960s, when hundreds of social scientists took leave from their universities to make the great trek to Washington to serve their nation and party. It is true that by this time the theoretical premise had lost its deepest support. Charles Beard, who shared the limelight with Dewey and Croly in the pages of the *New Republic* in its early years from 1914 to 1917, famously pronounced as early as 1933 that the idea of an objective movement of history in a progressive direction (or any direction, for that matter) was a fiction—at most, a mere belief or subjective leap. Beard consoled his readers by announcing his own continued adherence to progress as a value or an article of personal faith, rather than a fact.

For a time, this “subjective” position seemed to satisfy most liberals. It is touching to recall the enthusiasm that “the best and the brightest” brought with them to Washington in their vision of the Great Society, with its stirring images of new housing projects, model cities, clean parks, and refitted classrooms. The project partook of a secular religion complete with a clerical class of social scientists to minister to every problem and cure every public ill. In a remarkable passage from his memoir, Harry McPherson, LBJ’s chief adviser and speechwriter, testified to the faith that the architects of the Democratic programs had in “social intelligence”:

People were suffering from a sense of alienation from one another, of anomie, of powerlessness. This affected the well to do as much as it did the poor. Middle class women, bored and friendless in the suburban afternoons; fathers working at “meaningless” jobs, or slumped before the television sets; sons and daughters desperate for relevance—all were in need of community, relevance, purpose. . . . What would change all of this was a creative public effort: for the middle class new parks, conservation, the removal of billboards and junk, better television, aid to the arts; for the poor job training, Head Start, decent housing, medical care, civil rights; for both, and for bridging the gap between them, VISTA, the teacher corps, the community action agencies, mass transportation, model cities.

But the absence of a firm theoretical foundation for liberalism left these Democrats’ position increasingly vulner-

able to doubts and criticisms. Was the nation really moving in a progressive direction, and was the Democratic party truly a force for progress? Ironically, it was not the conservatives but a movement from the left within the Democratic party that emerged to shake up the great liberal consensus.

For those in the party’s mainstream, the revolt of the New Left and the “counterculture” came as an enormous shock. It was as if their own offspring had suddenly and unnaturally turned on their progenitors and set about mercilessly to devour them. The New Left called into question almost everything liberals had deemed to be progress: material well-being, American power, and especially the enlightened motives of the leaders of the American nation. Liberalism was part of the problem, not the solution. In the words of the movement’s political manifesto, the Port Huron Statement, “What we had originally seen as the American Golden Age was actually the decline of an era.” The moral disaster over which liberalism had presided, culminating in the Vietnam war, was so fundamental, so interwoven into the fabric of American life, that only a revolution could save us. The New Left married a deep pessimism about America to an unbounded optimism about the transforming power of revolution.

Those who look at the writings of the New Left today will find very little if anything that stands the test of time. None of the movement’s intellectual luminaries, from Norman O. Brown to Tom Hayden to Charles Reich, can be counted a substantial thinker. Nevertheless, many leaders of the movement engaged in concerted argument—indeed, felt obliged in their political action to expose the theoretical problems of the liberal tradition and to advance their own ideas. Thought mattered to them. Their arguments evidently had an impact, too, as many liberal intellectuals succumbed before the theoretical onslaught. It turned out there was no theoretical position the liberals believed was true. The “best and the brightest” proved lacking in conviction, while the radicals were full of passionate intensity.

This split between the liberals and the radicals in the late 1960s and early 1970s cost the Democratic party its confidence, and the party has never been quite the same since. The New Left did not take over permanently, a task for which it was morally, intellectually, and above all politically unfit. Once it became clear—as it did in the 1972 election—that the majority of the American people had no sympathy for the New Left’s cause, especially “revolution,” the old liberal mainstream was in effect asked to step back in and serve as the public face of the party, and it did so in the persons of Walter Mondale and Michael Dukakis.

But the New Left didn’t disappear. Renamed the cultural (or multicultural) left, it decamped from center stage and repaired to safer quarters in the universities, where it managed to carry out much of its program. Inside the Demo-

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The Democratic party was the carrier of a great tradition that stretched back from LBJ and JFK to FDR and ultimately to the progressive intellectuals

John Dewey, Herbert Croly, and Charles Beard.

From top:  
Charles  
Beard; John  
Dewey;  
Franklin D.  
Roosevelt.



cratic party, it ceded actual leadership, but maintained an impressive power base and exercised enormous influence on the policy agenda. Usually, the old liberals found the cultural left too dangerous to embrace, but too powerful to resist.

The result by the 1980s was a much weakened liberalism that was no match for a renewed conservative movement. Sapped of energy, liberalism had become, in Paul Starr's words, mostly "defensive" and "oppositional." Liberals tried to stick to the catechism of the older values, but were often pushed off course by the conflicting priorities championed by the cultural left. Liberals lacked any clear conception of first principles or anchoring ideas to guide them. Except for the fact that the Democratic party remained the home of almost all of the intelligentsia, it had now become the "stupid party" of American politics, an honor previously reserved for Republicans. Not even the two Clintons, with their high IQ's and a new generation of policy wonks to serve them, could change this. The "New Democrat" thrust was wholly strategic and practical: to move the Democratic party to the center and to "reinvent" government. Whatever other contributions may be ascribed to the Clinton Democrats, deep reflection about the party's theoretical foundations was not among them.

Thoughtful Democrats have reacted to their situation in two different ways in the last decade. Some have resisted siren pleas to embrace any big new theory and instead have returned to what inspired the liberal project when the liberals were on top. As Paul Starr has maintained, "American liberals do not have to invent something new or import a philosophical tradition from abroad. They have only to reclaim the idea of America's greatness as their own." Democrats, according to this view, should reaffirm the basic values of their past, but with more confidence and a greater willingness to stand up to the cultural left. Some in this camp reject not only the need for a new theory, but also the need for any theoretical foundation or first principle at all. Overconcern with abstractions, they argue, leads to rigid, doctrinaire approaches of the kind the Republicans are accused of embracing. Liberalism, to use the philosophical term, should adopt a position of "non-foundationalism." By the same token, in international affairs, liberals should take the world as they find it, not look at it through any

ideological lens. Thus, these liberals—even with their commitment to a long list of values, from humanitarianism to equality to global justice—often fancy themselves the great "realists" in American politics today, dismissing the project of liberal democratic expansion and attaching themselves to "order" of almost any kind.

In a variation on this same approach, some liberals have argued that liberalism could stage its comeback with better packaging—or, as social scientists like to say, better "framing"—of what they stand for. This has been the premise of the new California School of political thought, headed by the linguist-sophist George Lakoff of the University of California at Berkeley. Lakoff's simple message to liberals before 2006 was that

they had been thoroughly defeated by conservatives in the task of framing. Conservatives over the years, Lakoff argued, had made "a heavy investment in ideas and in language. . . . They've put billions of dollars into it." Liberals, by contrast, just "don't get it. They don't understand what it is they have to be doing."

Lakoff's solution was to gather the cream of Berkeley's liberal—er, better frame that "progressive"—intelligentsia into an "institute," the Rockridge Institute, that would begin to receive "investments" of their very own. In the great tradition of the sophists, what this genial Gorgias offered progressives was victory and power: If you frame it, they will come. Part of the originality of the California School is that it reverses the usual direction of the flow of ideas on the left between Hollywood and academia, introducing the wisdom of the entertainment industry into the

BEARD, TIME LIFE PICTURES; DEWEY, CORBIS; FDR, CORBIS

theories of social science. The new role of social science marked a considerable comedown from the vaunting aspirations that the progressives once claimed for it, but Lakoff's point is that you have to acquire power before you can use it. Not surprisingly, the California School has enjoyed much appeal on its home turf. The speaker of the House is on record as an enthusiast (which places her light years ahead of her Senate counterpart, a personage in drastic need of reframing).

The second way thoughtful Democrats have responded to their predicament is by asserting that liberalism needs a new "public philosophy." This position has been forcefully argued by some party intellectuals, most recently Michael Tomasky in a lead article in the *American Prospect*. "What the Democrats still don't have," Tomasky wrote, "is a philosophy, a big idea that unites their proposals and converts them from a hodgepodge of narrow and specific fixes into a vision for society." Even more disturbing to Tomasky, however, is that the party has lost the capacity to engage in this kind of thinking; its spirit is now anti-intellectual. "The party and the constellation of interests around it," he writes, "don't even think in philosophical terms and haven't for quite some time." Tomasky is one of the brave hearts not only to propose the idea of finding a "big idea," but also to offer a version of a new public philosophy, in a plea, reminiscent of Michael Sandel's, for "civic republicanism." As he might have foreseen, his attempt to rekindle a debate has generated a smattering of commentary, but mostly indifference.

The greatest flurry of interest in "big ideas" in the party, it has to be said, occurred after the Democrats' defeat in 2004, when some of its leaders came to the conclusion that they were losing to conservatives because, unlike their foes, they had no ideas. Some ideas, it was reasoned, beats no ideas. Democrats accordingly became interested in setting up new think tanks and journals in Washington that would probe deep questions. Treating ideas, especially "big ideas," as pure political commodities, worthwhile for their electoral punch, might seem an affront to serious thought, which it is; but it briefly opened a window to higher-

The New Left married a deep pessimism about America to an unbounded optimism about the transforming power of revolution.

From top: Tom Hayden; Charles Reich; a 1970 student protest at Yale.



level dialogue. The real problem with this position, however, was not intellectual cynicism, but a flawed political premise. The Democrats' victory of 2006 proved that a party does not need ideas to win elections. Many have drawn the obvious conclusion that these new intellectual ventures have little worth.

Today, the Democratic party mainstream has its values, its instincts, and, as usual, more than its share of 10-point programs. It even has its "isms," represented by its leading troika: the pragmatism of Hillary Clinton, the idealism of Barack Obama, and the populism of John Edwards. Yet its intellectual reservoir has shown itself to be lacking in depth and confidence. Today's Democratic mainstream is no more willing or able to stand up to the party's present leftist insurgency than the older mainstream was to stand up to the New Left. The tenor of the current left is best captured by something Lionel Trilling said in 1949 about conservatives: They do not "express themselves in ideas but only in action or in irritable mental gestures which seek to resemble ideas."

Even this description may be overly generous. The

HAYDEN, CORBIS; REICH, CORBIS; PROTEST, GETTY

In the present struggle between the Democratic party's mainstream and the network of technothugs spearheaded by MoveOn.org, nothing remotely resembling an idea or a sustained argument has surfaced, and there is no danger that one ever will.

From top: Walter Mondale and Michael Dukakis; Markos Moulitsas Zúniga; MoveOn.org protesters at the White House.



journalist Matt Bai, in his recent book *The Argument*, undertook an anthropological field trip to investigate the natives who inhabit the progressive coalition of billionaires and bloggers. The big money men and women—what the left used to call, back when it framed matters more astutely, the “obscenely wealthy”—are mostly people who have made their fortunes recently. (George Soros, the godfather of the movement, is an exception.) The last thing these newly rich would wish to be called, however, is nouveau riche; they are bobo billionaires who profess to regard their own fortunes with nonchalance. Steven Gluckstern, for example, who helped bankroll the Democracy Alliance—a new organization to fund the rebuilding of the progressive infrastructure (dues \$200,000 a year for five years)—told Bai, “I don’t really care about money. I mean, I like it. You can do fun things with it. You can give it away.” All in this progressive money set, which includes some of Hollywood’s more modest donors, follow the new

progressive formula of buying political influence while decrying the influence of money in politics.

The allies of the wealthy, the bloggers, are the coalition’s hit men. Almost all are males in their thirties. The two most prominent, “Markos and Jerome” (Markos Moulitsas Zúniga of the *Daily Kos* and Jerome Armstrong of *MyDD*), gained their fame and won their political clout by latching onto Howard Dean’s candidacy in 2003 and using the Internet to help create the “Democratic wing of the Democratic party.” Their websites not only constantly abuse thought,

but show contempt for intellectuals, even while gaining influence among them. The language is often violent and vulgar. The moving spirit of the *Daily Kos* is one of anger and resentment, which, when not directed at Democrats who dare to stray from the wing line, is directed at the president, the vice president, and the Iraq war.

The bloggers in turn are teamed up with the new, Internet-reliant grassroots associations like MoveOn and ACORN. What emerges from Bai’s study of the coalition is that the tone of MoveOn’s recent *New York Times* ad assailing General Petraeus as “General Betray Us,” far from being exceptional, is perfectly typical of the discourse preached and practiced

by this so-called progressive coalition. The ad stood out because it exposed to the world at large the ugly style the new radicals have developed for use among themselves—and because it forced the main Democratic presidential candidates, who declined to disavow it, to show publicly their fealty to the movement.

The Democratic party, its prowess renewed by a taste of success in 2006, is riding the crest of a political wave. It is the stupid party triumphant. What serious Democrats must now consider is whether to accept this state of affairs—or begin to think deeply enough to find a principled ground for rejecting a faction in their midst that is not only stupid but dangerous as well.

◆ MONDALE, DIANA WALKER; MOULITSAS, GETTY; PROTESTERS, GETTY



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# Planned Parenthood's Unseemly Empire

*The billion-dollar "nonprofit"*

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BY CHARLOTTE ALLEN

In mid-July the top three Democratic presidential contenders paid their respects at an important shrine on the pilgrimage circuit of party fundraising: the Washington-based political arm of the Planned Parenthood Federation of America. With its unceasing and aggressive advocacy of what it calls "women's reproductive health," Planned Parenthood has come to function as a gatekeeper to the treasuries of the progressive-minded Hollywood and Silicon Valley millionaires and billionaires who (along with their family foundations) increasingly control the purse-strings of the Democratic party during national elections, and for whom the right to unrestricted abortion for females of all ages is the sacred cynosure of the Constitution. And so they came to Planned Parenthood, clearly coveting the endorsement that would open the fundraising spigot and declaring that they were on board with the Planned Parenthood agenda 200 percent: Barack Obama, John Edwards (who, campaigning that day in Pittsburgh, sent his wife Elizabeth), and Hillary Clinton.

It was Clinton, endorsed by Planned Parenthood for her 2000 and 2006 Senate races, who most deferentially touched all the organization's advocacy bases as she denounced a range of Bush administration policies: the "global gag rule" that prevents U.S. funds from going to entities that advocate abortion overseas (read: Planned Parenthood's international arm), programs that promote abstinence-only sex education (not the programs of Planned Parenthood), the Supreme Court's upholding of the federal ban on partial-birth abortion (thanks in part to the Bush-appointed justices John Roberts and Samuel Alito), and the supposed flat-lining of funding during the Bush years (actually the amounts appropriated by Congress generally increased) for Title X, a federal program that dispenses free birth control to high-school girls with-

out their parents' knowledge (Planned Parenthood is heavily involved). Clinton promised to reverse all those Bush-era developments, and also threw in some extra goodies: a bill she had introduced that would make the "morning-after" pill (heavily promoted at Planned Parenthood clinics) easier to obtain at military bases. According to the *New York Times's* political blog, Clinton declared, "When I'm president, I will devote my very first day in office to reversing these ideological, anti-science, anti-prevention policies that this administration has put into place."

Hard on the heels of the Planned Parenthood schmoozefest came the sort of news story that would send most high-profile nonprofits into a PR tailspin. On August 1 in West Hartford, Connecticut, charges of criminal abduction were filed against a 41-year-old dog trainer named Adam Gault. For nearly a year, Gault had allegedly hidden a runaway girl, now 15, in the house he shared, Hugh Hefner-style, with two other girlfriends (ages 26 and 40 and also charged with crimes arising from the incident). He had gotten the teenager pregnant and procured an abortion for her on May 1 at a Planned Parenthood clinic in West Hartford. About a month later, police discovered the 15-year-old, whose mother had been searching frantically for her since her disappearance from home in June 2006, locked in a storage space under a staircase at the residence of Gault, a onetime workplace acquaintance of the girl's stepfather. A DNA test on the corpse of the fetus indicated that Gault was its father. It is not known what sort of identification the girl, too young for a driver's license, presented the clinic's administrators. She apparently wouldn't name the father, and it is all but certain that no one at Planned Parenthood went out of their way to inquire into the circumstances that led to her pregnancy.

These allegations of egregious statutory rape involving a girl of 15 and a polyamorous middle-aged ne'er-do-well are of a piece with any number of incidents at Planned Parenthood clinics in which personnel have either looked the other way or stated their willingness to look the other way in the face of state laws requiring the reporting of suspected sexual abuse of minors under the age of 16. In one

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*Charlotte Allen, a writer in Washington, is the author, most recently, of The Human Christ.*

of those cases, the abuser, now serving a five-year prison sentence, was the victim's own father, who had forced his daughter to share his bed and have sex with him starting at age 13; another, involving the same Planned Parenthood branch in Cincinnati, Ohio, also featured a 13-year-old, this one impregnated by her school soccer coach who accompanied her to the clinic and paid for the abortion with his credit card, while she showed the staff her junior high school ID card. Spokesmen for Planned Parenthood have insisted that such cases are flukes (or that the victims lied, relieving the clinics of responsibility), and that clinic staff are carefully trained to report all instances of suspected abuse.

No matter what one may think about abortion, episodes such as those above would turn most charitable organizations into political pariahs. Not Planned Parenthood. The mammoth tax-exempt nonprofit with 122 affiliates nationwide reported revenues in June of a record \$903 million during its 2005-06 fiscal year, and it continues to bask in an amazingly exalted reputation, at least among Democratic politicians, celebrities, a largely sympathetic and even sycophantic press, and the gigantic family foundations set up by such tycoons past and present as David Rockefeller, David Packard, Bill Gates, and the ubiquitous George Soros, all of whom have donated hundreds of millions of dollars to Planned Parenthood causes. Among upper-middle-class Americans who pride themselves on their progressive views, the name "Planned Parenthood" still conjures up founder Margaret Sanger's long-ago crusade against the Comstock Laws that once outlawed contraceptive devices even for married couples. It also still conjures up images of adult women taking rational steps to postpone childbearing and limit family size so as to fit their economic and emotional needs—not unwed high school girls seeking clandestine abortions that won't get the creepy adults who impregnated them in trouble with the law.

Planned Parenthood also trades on most people's relaxed attitudes toward sex and birth control. Although certain religious groups, notably the Catholic church, frown on artificial contraception, the overwhelming majority of Americans (including Catholics) see nothing wrong with, and much good to be gained from, planning births via whatever medical devices are deemed safe and effective. Nor do many Americans object nowadays to young people, even teens, having sex before marriage, as long as it is not outrageously promiscuous or coercive—and under such circumstances, birth control strikes them as essential. Although most Americans are distressed by abortion, and many would like to restrict it by varying degrees (they are

largely prevented from so doing by the Supreme Court's 1973 ruling in *Roe v. Wade* declaring it a constitutional right), few, even among political conservatives, wish to



For nearly a year, Adam Gault allegedly hid a runaway girl of 15 in his house, getting the teenager pregnant and procuring an abortion for her at a Planned Parenthood clinic in West Hartford. The girl apparently wouldn't identify the father, and there's no evidence clinic personnel were at all concerned.

ban the procedure altogether, and many who are morally repulsed by abortion do not believe that women should be restrained by law from choosing it.

Someone, then, has to do the dirty work, and in many people's thinking, that someone should preferably not be the corner-cutting medical hacks (who else would want to be an abortionist?) who staff many a for-profit clinic and pop up in occasional news stories about women killed or seriously injured in botched procedures at seedy facilities reminiscent of the legendary back-alley abortionist's lair that *Roe v. Wade* was supposed to have abolished. That's where Planned Parenthood steps in: It's the *nice* abortion provider. The organization's cleanly designed powder blue-and-white website abounds with the words *safe, health, trust, medical standards, high quality, and training*, along with soothing photographs of crisply groomed, white-clad professionals, most of them female.

Other literature from Planned Parenthood portrays the organization's abortion business as a tiny droplet in an ocean of medical and social services focused on prevention of pregnancy—along with such worthy works as



screening for sexually transmitted diseases and reproduction-related cancers, and even prenatal care. "Prevention is the cornerstone of our services," declares Planned Parenthood's online financial report for 2005-06. The organization boasts that 81 percent of the clients at its 860 or so "health centers" nationwide received some sort of contraceptive. A pie graph accompanying these statements displays "abortion services" as representing a tiny sliver—just 3 percent—of the more than 10 million individual health services that Planned Parenthood provided during the last fiscal year, with contraception taking up 37 percent of the

Their mission is so laudable in the eyes of many federal, state, and local legislators, that nearly one-third of Planned Parenthood's near-billion dollars in revenues—\$305.3 million in 2005-06—came from government subsidies of one sort or another.

pie, tests and treatments of sexually transmitted diseases 29 percent, and cancer screening and prevention 20 percent. Indeed, the pro-choice but abortion-disapproving GOP presidential contender Rudy Giuliani defended the \$900 that he donated to Planned Parenthood during the 1990s on the grounds that the organization "makes information available" about other options, including adoption, available to women facing crisis pregnancies.

Controlling family size, forestalling teen pregnancy, battling disease, reminding pregnant women that they don't have to abort—all good things, right? So good, in the eyes of many federal, state, and local legislators, that nearly one-third of Planned Parenthood's near-billion dollars in revenues—\$305.3 million in 2005-06—came from government subsidies of one sort or another. Gross revenues from "health services" at clinics accounted for another \$345.1 million, and "private contributions and bequests" accounted for \$212.2 million. The federal government alone was responsible for \$120 million or more (the last available figures date from 2001), with at least \$59 million coming from the supposedly Bush-starved Title X program.

That's not bad for an organization that also boasted a total of \$839.8 million in net assets for the 2005-06 fiscal year, up from \$784.1 million for the previous financial year. Planned Parenthood also reported a \$55.8 million surplus of revenue over expenses last fiscal year, which, if it were an ordinary taxpaying business, would have amounted to a tidy 6 percent profit. Thanks in part to government gen-

erosity, Planned Parenthood has more money than it can spend. Whatever one might think personally about abortion and birth control, it is certainly worth asking whether U.S. taxpayers should be digging into their pockets to support a cash-engorged organization that reported that it paid its outgoing president, Gloria Feldt, an annual compensation package approaching \$1 million.

Planned Parenthood garners all the free positive publicity it can use from obsequious journalists and big names in the arts world. From Dear Abby on down, advice columnists of the newspaper world regularly urge Planned Parenthood services upon the lovelorn teens who seek their counsel. In June 2006, *Vogue* magazine ran a Vaseline-on-the-lens profile of the organization's newly installed president, Cecile Richards (daughter of the late Texas Democratic governor Ann Richards). The article was accompanied by a two-page photo spread of Richards sitting in her Manhattan office accompanied by five photogenic babies of various ethnicities serving as human props—as though Planned Parenthood were a fertility clinic instead of the opposite. (Although Planned Parenthood lists itself as offering "infertility services," only 248 people nationwide availed

themselves of those services last fiscal year, the organization reported.) At a series of Planned Parenthood fundraisers, a raft of Hollywood and music luminaries, including Gwyneth Paltrow, the Dixie Chicks, James Gandolfini, Edie Falco, Whoopi Goldberg, Stanley Tucci, and Kathleen Turner donated free entertainment or (more frequently and at significantly less effort to themselves) autographed paraphernalia for auction.

Underneath this veil of media and show-business gossamer is an organization that, contrary to the impression it works hard to create, focuses obsessively on abortion, providing ever more abortions every year, reaching out to an ever-younger clientele. The 3 percent pie slice in the 2005-06 financial report, representing 264,943 abortion customers served, can only be described as deliberately misleading.

One way Planned Parenthood massages the numbers to make its abortion business look trivial is to unbundle its services for purposes of counting. Those 10.1 million different medical procedures in the last fiscal year, for instance, were administered to only 3 million clients. An abortion is invariably preceded by a pregnancy test—a separate service in Planned Parenthood's reckoning—and is almost always followed at the organization's clinics by a "going home" packet of contraceptives, which counts as another separate service. Throw in a pelvic exam and a lab test for

STDs—you get the picture. In terms of absolute numbers of clients, one in three visited Planned Parenthood for a pregnancy test, and of those, a little under one in three had a Planned Parenthood abortion.

Moreover, in terms of revenues generated, abortion accounted for at least one-third, probably more, of Planned Parenthood's \$345.1 million in clinic income reported for the last fiscal year. A no-frills (local anesthesia that does not hinder cramping), no-complications, first-trimester surgical abortion typically costs about \$400. Multiply that by 264,943 and you have \$106 million, more than 10 percent of Planned Parenthood's entire revenues from every source last fiscal year. Furthermore, many abortions cost more than \$400. An extra \$150 or so buys better, IV-administered, anesthesia; a "medication abortion" (RU-486 plus a second drug that induces labor) costs about \$450, and a second-trimester abortion can run to well over \$1,000, depending on complications.

Even as the total number of abortions in this country has fallen, Planned Parenthood's market share has increased. Its abortions last fiscal year were at an all-time high, a 3 percent increase over the 255,015 abortions it performed in 2004-05, and amounted to 20 percent of the 1.3 million abortions performed in the United States during that period (the latter figure comes from the Guttmacher Institute, which began as Planned Parenthood's research arm). The number also culminates a doggedly steady rise, year after year, in the total number of abortions performed at Planned Parenthood facilities in the United States. In 1990, for example, Planned Parenthood clinics performed only 129,550 abortions, less than half of today's total and representing about 8 percent of the 1.6 million abortions performed in the U.S. that year. Since 1990 the total number of U.S. abortions has gradually drifted downward despite a rising overall population—the current 1.3 million a year marks the lowest number since 1974, the year after *Roe v. Wade*, according to the Guttmacher Institute—while Planned Parenthood's market share has more than doubled. "It's certainly the nation's largest abortion chain," says Randall K. O'Bannon, director of education and research for the National Right to Life Committee.

All this despite the fact that Planned Parenthood has been closing more clinics than it has opened over the past few years in order to cut overhead: The net number of its facilities has dwindled from a peak of 938 nationwide in



A screen capture of a page from teenwire.com

1995 to today's 860 or so. Furthermore, although Planned Parenthood's traffic in abortions and morning-after pills increased significantly during 2005-06 (along with its dispensing of conventional contraceptives and testing for STDs and HIV), the number of other medical services it provided actually fell during that period: screening for cervical and other cancers, prenatal care, even pregnancy tests. Indeed, the organization's gross clinic revenues of \$345.1 million last year represented a \$1.5 million decline from those of the previous fiscal year. And *pace* Rudy Giuliani, last fiscal year Planned Parenthood stopped even *reporting* its adoption referrals. Its 2004-05 report stated that it had referred only 1,414 clients to adoption agencies (that's less than two per clinic per year).

Abortion is clearly a cash cow for Planned Parenthood, but at least, one might think, having an abortion at a presumably state-of-the-art Planned Parenthood clinic is safer for the woman involved than it might be elsewhere. That may be so—although Planned Parenthood has seen its

share of horror stories. For one, there's the case of 21-year-old Edrica Goode of Riverside, California, who died on February 14 of toxic shock syndrome allegedly caused by cervical dilators left inside her by a nurse at a Planned Parenthood facility as a prelude to a second-trimester abortion that never took place. Goode's mother, saying her daughter was never properly warned that the dilators could spread

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infections, filed a medical-malpractice lawsuit against Planned Parenthood in June.

The real medical controversy, though, stems from Planned Parenthood's burgeoning RU-486 practice. Six women are known to have died in this country between 2003 and 2006 after taking the abortion pill, whose generic name is mifepristone and which was approved by the federal Food and Drug Administration in 2000. Four of those six received the drug at Planned Parenthood clinics, where it was—and still is—administered in a fashion that does not comply with the FDA's protocols. Because mifepristone, which breaks down the uterine lining in order to starve the fetus, can cause severe bleeding and other life-threatening side effects, the FDA's guidelines state that both mifepristone and a second drug called misoprostol that induces labor and expels the fetus should be taken orally within two days of each other “under a physician's supervision”—that is, at a doctor's office.

Planned Parenthood, which had been running its own clinical tests on mifepristone throughout the 1990s (thus making it available to some women before FDA approval) decided as a matter of policy to skip the second office visit and instead give its clients the misoprostol in the form of a vaginal suppository (instead of the pill the FDA recommended) to insert on their own at home. Finally, after the third and fourth Planned Parenthood clients died last year (the causes of death for all six have included bacterial infections and an undetected ectopic pregnancy), the organiza-

tion, which had ignored warnings from the FDA after the first two deaths, relented and switched to oral administration of the misoprostol—although it still permits its clients to take the drug at home, not at the clinic as the FDA advises. (Planned Parenthood has never publicly stated a reason for its continued refusal to comply with that part of the FDA's guidelines, although it is fair to surmise a combination of cost savings and convenience for the client have something to do with it.)

It is, of course, not uncommon for physicians to ignore the FDA's protocols for administering FDA-approved drugs, but it is surprising that Planned Parenthood is willing to risk the lives of its clients in order to assert its independence from federal regulators. Furthermore, at least one Planned Parenthood clinic, Planned Parenthood Golden Gate in Hayward, California, site of the RU-486 death of 18-year-old Holly Patterson in 2003, fails to comply with still another FDA guideline: that the mifepristone be administered no later than 49 days after the woman's last menstrual period (it is deemed ineffective after that); Golden Gate is willing to administer the drug a full 56 days into pregnancy, according to its website.

Most troubling of all is Planned Parenthood's pattern of seeming insouciance about reporting suspected sexual abuse by adults of underage girls—of which the Adam Gault case is perhaps the most spectacular example to date. Planned Parenthood heavily markets both its advocacy positions and its facilities and services to teenagers (via, among other things, ads on MySpace and MTV), and it has a huge clientele of high school students living at home (one affiliate, Planned Parenthood of Hawaii, told the *Honolulu Star-Bulletin* in 2001 that a full third of its clients were teens “with little or no money”). In recent years Planned Parenthood has opened a series of “express” storefront branches at shopping malls apparently aimed at funneling mallrats to its full-service clinics elsewhere. Last year Planned Parenthood Golden Gate launched a “Tell a Friend” marketing campaign that included free movie tickets and a chance to win an iPod as rewards to teens for sending their classmates to Planned Parenthood clinics.

A colorfully designed Planned Parenthood-sponsored website, Teenwire, pitched specifically at adolescents, features discussion boards and an “ask the experts” question-and-answer page on which young people, their anonymity protected by screen names, can pitch queries and air their views on sex-related topics that walk a fine line between the medically pertinent and the merely titillating (“can I get



pregnant from anal sex?”). Links on Teenwire to Planned Parenthood’s own website help visitors to Teenwire arrange for contraceptives and abortions at Planned Parenthood facilities. Another Teenwire page lists an 800 number that teens can call to obtain prescriptions at Planned Parenthood clinics for the morning-after pill, which can be sold over the counter in most states only to legal adults.

In all these endeavors there is an implicit promise by Planned Parenthood that no outside adult, especially the parents of the teen in question, will learn what any individual young person is up to. Planned Parenthood mounts intense advocacy campaigns against and court challenges to the laws in 35 states that require at least one parent either to give consent to or to be notified of a minor child’s pending abortion. Last year the organization helped defeat Proposition 85, a California ballot measure that would have required parental notification. A page on Teenwire invites adolescents to become involved in such legislative maneuvers and tells them how to contact Planned Parenthood in order to do so. “Access to confidential abortion services is essential to teenagers’ health,” declares a page on Planned Parenthood’s own site.

A large number, perhaps a majority, of underage teen pregnancies are not puppy love gone awry, but involve adult men who are significantly older than the pregnant girl. A study published in the journal *Family Planning Perspectives* in 1992 found that 62 percent of first-time births to teen mothers had been preceded by experiences of molestation, rape, or attempted rape, with the mean male-offender age 27.4 years. The Guttmacher Institute reported in 1995 that more than 40 percent of mothers age 15-17 had sexual partners three to five years older; nearly 20 percent had partners six or more years older.

Thus, Planned Parenthood’s confidentiality principles can thus run squarely up against laws in every state, typically bearing criminal penalties, that require health care workers to report suspected incidents of sexual abuse or statutory rape to law enforcement. In 2002, a Texas-based pro-life group called Life Dynamics launched a sting operation, hiring an actress to call more than 800 abortion clinics nationwide, including many Planned Parenthood clinics. She told the receptionists that she was a 13-year-old girl who needed an abortion, except that her boyfriend was 22 and she didn’t want him to get into trouble. The reported response at 91 percent of the clinics (including Planned Parenthood’s) was: Don’t mention your boyfriend’s age when you come in, and all will be well. “[O]therwise, there’s going to be a lot of stuff going on that you’re probably not going to want to have happen,” said a receptionist at a

Planned Parenthood facility in New London, Connecticut, according to a Life Dynamics tape. Although Fox News reported the Life Dynamics story, the reaction of most of the media was: How dare anyone deceive a Planned Parenthood receptionist?

Real-life incidents involving minor teens who had abortions at Planned Parenthood clinics can make the fictional

Brian Hurley, a lawyer representing a girl molested for five years by her father—the recently convicted John Blanks Jr. of Mason, Ohio—says the girl reported the abuse to a Planned Parenthood Southwest Ohio employee when her father drove her there to have an abortion at age 16. Their response, according to Hurley, was to send the girl home in her father’s car with a packet of birth control pills.



scenario invented by Life Dynamics pale by comparison. Brian Hurley, a lawyer representing the daughter molested for five years by the recently convicted John Blanks Jr. of Mason, Ohio, says the girl reported the years-long abuse to a Planned Parenthood Southwest Ohio employee when her father drove her there to have an abortion at age 16 after getting her pregnant—their response, according to Hurley, was to send the girl home in her father’s car with a packet of birth-control pills. The abuse continued for another year and a half, the *Cincinnati Enquirer* reported, at which point the girl told her future college sports coach, who reported the coerced sex to authorities, launching the criminal investigation that led to Blanks’s arrest, trial, and five-year prison term.

Hurley also represents “Jane Roe,” a Cincinnati-area

girl molested by her 21-year-old soccer coach, who in November 2004 accompanied her to a Planned Parenthood Southwest Ohio clinic where she had an abortion without her parents' knowledge at age 14 and used his credit card to pay for the procedure. A Planned Parenthood "Documentation Form for Suspected Sexual or Child Abuse Report" retrieved by Hurley as part of discovery in the lawsuit the girl filed in 2004 noted that the girl claimed to have been raped by a stranger but the clinic did not notify police of this serious felony charge because "due to physician-patient privilege, we are prohibited from reporting as no severe bodily injury was reported." Ohio prosecutors say there is no such exception to the state's sexual-abuse reporting law (if there were, there would be very few reports of abuse). Rachel Hutzell, the county prosecutor who secured Blanks's conviction, told the *Cincinnati Enquirer* in May that her office might look into criminal charges depending on what the girl's civil suit revealed. Another piece of paper retrieved by Hurley from the clinic during the discovery process is a note in a personnel-training file containing the words "don't ask, don't tell." Planned Parenthood has told news reporters that it has no idea where the note came from, and also that it had no idea that the man who paid for the girl's abortion might have had sexual relations with her. "When a 21- or 22-year-old man walks in with a 14-year-old girl and says they're brother and sister but they have different last names—there's no way that someone in that situation wouldn't know what was going on," Hurley said in a telephone interview. "When I tell this to people I know—and they're mostly pro-choice—they just shake their heads."

Also invoking the physician-patient privilege, Planned Parenthood Southwest Ohio is fighting tooth and nail via the appeals process a judge's order in the Jane Roe case that the organization turn over to Hurley its records of abortions performed on girls under 18 so that Hurley can review evidence of what he suspects is Planned Parenthood's pervasive underreporting of statutory rape and related crimes against minors (attorneys general in Kansas and Indiana are also fighting Planned Parenthood affiliates in court over similar files on underage abortions, with an eye to criminal investigations). Even if the names and addresses of individual patients are deleted (and Hurley says he has no interest in such information) and the files are never made part of the public court records, lawyers for Planned Parenthood insist that there are "profound and significant privacy issues," as one of them told the *Enquirer*. In late August, an appeals court sided with Planned Parenthood and overruled the trial judge; Hurley has asked the Supreme Court of Ohio to review the appeals court ruling.

Meanwhile, 18-year-old Lila Rose, a sophomore at the University of California at Los Angeles and founding edi-

tor of a pro-life student publication called the *Advocate*, listened to some of the Life Dynamics tapes on that organization's website earlier this year and decided to find out whether Planned Parenthood clinics were as seemingly cavalier about reporting sexual abuse in 2007 as they had been in 2002, when the organization had promised after the Life Dynamics revelations to train its staff more carefully. Armed with a concealed video camera, Rose visited two Planned Parenthood clinics, in East Hollywood and Santa Monica, and passed herself off as a 15-year-old seeking an abortion and a 22-year-old male friend who accompanied her as her 23-year-old boyfriend. She told staffers at both clinics that she didn't want her parents to find out about her relationship with the presumed 23-year-old. No employee at either clinic batted an eye at these revelations; the receptionist at the Santa Monica facility told Rose to say she was 16, because if she was 15, the clinic would have to make a report to the police. "Just figure out a birthday that works," the staffer advised.

Rose posted videos of the two clinic visits on YouTube on May 12. Two days later, she says, she received an emailed letter from Mary Jane Wagle, president of Planned Parenthood Los Angeles, demanding that she turn over the videotapes to Planned Parenthood immediately or face a civil lawsuit based on violations of a California law making it a crime to tape conversations without the consent of both parties. Although the law, like similar laws in many states, seems to contain an exemption for collecting evidence of crimes, Rose mailed the tapes to Planned Parenthood on the advice of lawyers from the Alliance Defense Fund, a pro-life legal aid organization that offered her free representation (not that Planned Parenthood's confiscation maneuver made much difference, because the videos had already been copied by fans and can be watched on YouTube to this day). "It's funny—Planned Parenthood went around saying that situations like the ones I encountered don't happen in 99 percent of the cases," Rose said in a telephone interview. "So I'm a very lucky person. At the first two clinics I went to, I got the 1 percent."

With incidents such as these surfacing at Planned Parenthood facilities, together with the organization's ever-increasing involvement in the abortion business, one might wonder why corporations that generally shy away from controversial causes and activities continue to donate to the organization. The answer is that, in increasing numbers, they don't, or at least they say they don't, which for public-relations purposes amounts to the same thing. An organization called Life Decisions International (based in Virginia and not connected to Life Dynamics) annually posts on its website the names of companies

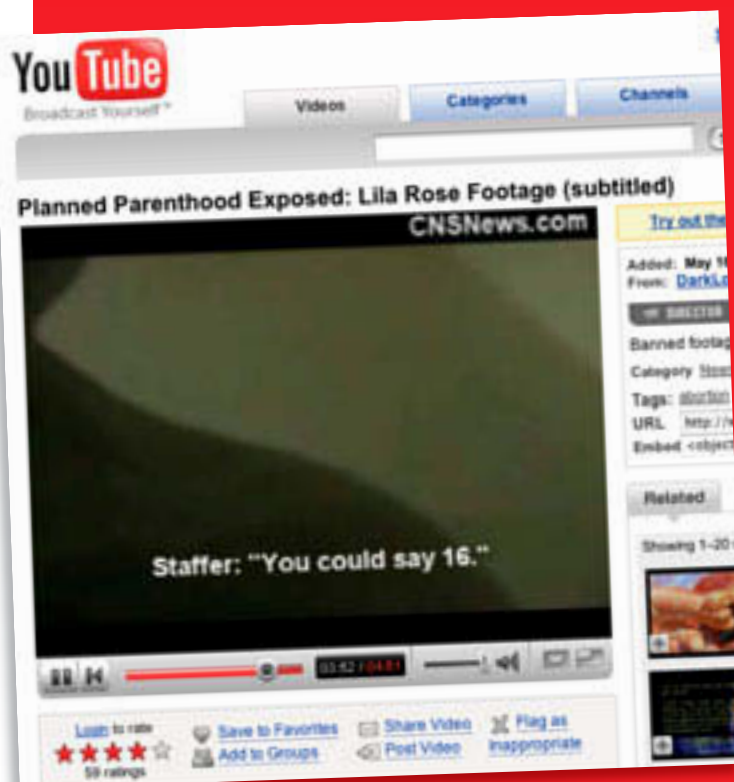
that, according to evidence the group says it has collected, donated to Planned Parenthood during the previous year; the aim is for pro-lifers to boycott the blacklisted businesses. Research for this story included contacting by telephone or email a cross-section of those Life Decisions-listed mega-corporations—Wachovia, Allstate Insurance, Sears Holding (parent of the Sears and Kmart retail stores), Marriott—expecting to hear, for example, praise for Planned Parenthood’s teen-pregnancy prevention programs offered as justification for the corporate gifts. Instead, except for a couple of companies that ignored the calls and emails (notably the Walt Disney Co. but also Chevron), the uniform responses of the public-relations offices at the firms were either categorical denial or explanations that, as in the case of Wachovia, the donations in question had consisted of nugatory sums of a few hundred dollars given by a few distant local branches. Even such presumably “progressive” outfits as Adobe Systems and Whole Foods Market hastened to join the chorus of denials (a spokesman for Whole Foods said that a food tray or two might have been contributed by one of its stores to a Planned Parenthood-sponsored event). Apparently a significant portion of America’s business world would rather not be seen as involved with the abortion industry, even when Planned Parenthood’s activities are benignly “framed” (to use the word of former president Gloria Feldt) as merely making birth control more widely available to American women.

Indeed, there is some evidence that the \$212.2 million in private contributions reported by Planned Parenthood for its 2005-06 fiscal year might be an exaggeration. For fiscal 2004-05, Planned Parenthood reported \$215.8 million in income from private donations and bequests. That same year, about \$61.8 million in “private support” to Planned Parenthood was calculated by the *Chronicle of Philanthropy*, on the basis of information supplied by Planned Parenthood to the Internal Revenue Service. Asked what could account for such a large discrepancy, Noelle Barton, a *Chronicle* editor who helped compile the report on the finances of America’s largest charities, said, “They could be counting income from investing previous donations.” Planned Parenthood’s balance sheet contains no separate entry for investment income.

In any event, it is likely that the bulk of Planned Parenthood’s private-source income now comes from ideologically committed pro-choice individuals, family founda-

tions such as Rockefeller and Gates that answer to no one except their founders and/or boards, and other nonprofits untroubled by the organization’s increasing abortion market share. One of the last is the breast-cancer charity Susan G. Komen for the Cure, whose affiliates give sub-

Armed with a concealed video camera, Lila Rose visited two Planned Parenthood clinics and passed herself off as a 15-year-old seeking an abortion, accompanied by her 23-year-old boyfriend. No employee at either clinic batted an eye; the receptionist at one facility told Rose simply to say she was 16 to avoid a police report.



A Planned Parenthood staffer is recorded recommending that Lila Rose lie about her age to protect her boyfriend from criminal charges.

stantial grants to Planned Parenthood for breast-cancer screening (\$712,000 for the 2006 fiscal year), even though the number of such screenings, like the number of other cancer screenings performed at Planned Parenthood clinics, has been in fairly steady decline (1.1 million breast exams in 2002-03; 844,201 in 2005-06).

With both clinic revenues and private-source income



down, Planned Parenthood does still have one reliable source of funds to take up the slack: taxpayers. The \$305.1 million in “government grants and contracts” the organization took in last fiscal year represented a 12 percent increase over the \$272.7 million it received during fiscal 2004-05. Slightly under half of the \$120 million-plus supplied by the federal government (states and localities, especially politically liberal states such as New York and California, make up the rest) came in the form of subsidies for free birth control under Title X. Title X was a panic bipartisan measure passed by Congress in 1970 in

Last fiscal year Planned Parenthood stopped even reporting its adoption referrals. Its previous report, from 2004-05, stated that it had referred only 1,414 clients to adoption agencies. That's fewer than two per clinic per year.

the middle of the “population bomb” scare, when many lawmakers believed that the only way to prevent the United States from running out of food by the year 2000 was to distribute free contraceptives as widely as possible to women and girls ages 15-44 in “low-income families.”

Title X officially expired in September 1985, but Congress has continued to appropriate money for it in ever-increasing amounts. Regulations issued by the Department of Health and Human Services require the contraception distribution to be strictly confidential (i.e., no notification of the parents of minor recipients), and define a “family” so as to include “unemancipated minors” desiring contraceptives without their parents’ finding out; according to the HHS regulations, they “must be considered on the basis of their own resources.” That means the Hilton sisters could have qualified for free Title X birth control during their teen years had their allowances been short enough. About 14 percent of Title X recipients are girls under 18, according to a 2004 report from the program’s grantees. On an Internet discussion website, a teenager boasts of making monthly visits to pick up her free birth control pills at Planned Parenthood Pasadena while wearing her Catholic school uniform. There is only one Catholic girls’ high school in Pasadena, an affluent suburb of Los Angeles: the Mayfield Senior School. Tuition is \$17,000 a year.

The other big federal program, channeling at least \$61 million a year to Planned Parenthood, is known as “Med-

icaid waivers.” The one thing to be said for the waivers, which also provide free birth control, is that it is harder for students at exclusive prep schools to qualify. The waiver program began in 1993, the first year of Bill Clinton’s administration, when the Department of Health and Human Services decided to “waive,” or relax, its usual income limits for qualifying for Medicaid benefits so that somewhat higher-income women (anywhere from 185 to 200 percent of the official poverty level) in participating states could receive free contraceptives. Furthermore, under the waiver program, in which 19 states currently participate, the federal government picks up 90 percent of the contraceptive tab, with states contributing only 10 percent—in contrast to ordinary Medicaid, where the federal-state split is more like 60-40.

Since Medicaid, unlike Title X, is an open-ended entitlement program not dependent on congressional appropriations for funding, the Bush administration has been trying to put a lid on the waiver program’s burgeoning expense, signaling, for example, that it would not renew waivers unless states provided more medical services besides birth control to participating women—which states have been reluctant to do, because that would cost them money. When Hillary Clinton referred in her July Planned Parenthood appearance to Bush’s “antiprevention” agenda, she was probably referring in part to Medicaid waivers. Clinton is cosponsoring a bill that would make the program (with the federal government paying 90 percent) a permanent and automatic component of Medicaid in every state without need for waiver applications or HHS approval—that is, expand it exponentially. That would be a bonanza for Planned Parenthood.

Whether the federal government ought to be in the business of subsidizing birth control, which, except in cases of rape or abuse, is a matter of individual voluntary decisions about one’s sex life and desire for children, is a good question. Whether people should have an automatic “right” to subsidized birth control under Medicaid, to be paid for indefinitely out of other people’s federal taxes, is another good question. Those are matters for a long-term policy debate. The more pressing question is whether the federal government should continue to subsidize, to the tune of tens of millions of taxpayer dollars a year, an organization, the Planned Parenthood Federation of America, that derives a heap of its revenues from abortions, has sustained a demonstrably poor record on reporting suspected sex crimes against underage teenagers—and has a mountain of cash to boot. What about the taxpayers’ right to choose? ♦



Lamb House, Rye, 2001

# Master and Shrink

*Sigmund Freud puts Henry James on the couch* BY JOSEPH EPSTEIN

Counterfactual history deals in questions of What If: What if the Athenians had brought more cavalry and proved victorious at Syracuse? What if Lenin hadn't arrived at the Finland Station? What if the Germans had won World War II? What if John F. Kennedy hadn't died young? Counterfactual questions, all of them, and the list is, potentially, endless.

Normally thought of as a historical exercise, the counterfactual is even more central to the enterprise of fiction. *What if* an aging Spanish knight with a doleful countenance, fired up by legends of chivalry, set out to win the love of a beautiful maiden named Dulcinea? *What if* an elegant and honorable Russian woman were to leave her husband

and child to run off with a handsome but feckless cavalry officer? *What if* a man woke to find himself turned into, of all things, a beetle? Counterfactual, all of it—the counterfactual, in the

## Lions at Lamb House

by Edwin M. Yoder Jr.  
Europa, 239 pp., \$14.95

hands of great artists, turned into classical fiction.

This example of Kafka's "Metamorphosis" is a reminder that, many years ago, in a story in the *New American Review*, Philip Roth imagined that Kafka had lived long enough to have to flee Hitler, and that he had shored up in Newark, New Jersey, where he was forced to teach Hebrew to a 12-year-old Philip Roth and his dopey contemporaries. What a brilliant notion, counterfactual at its core! Roth came up with

another several years later in imagining the fate of the Jews in the United States if Charles Lindbergh, sympathetic to the Nazis as he was, and perhaps the most popular American of his time, had been elected president of the United States.

In *Lions at Lamb House*, Edwin M. Yoder Jr., a frequent contributor to these pages, has, counterfactually, written a highly amusing novel that is, at bottom, of great seriousness. Yoder's *what if* has Sigmund Freud, the Viennese alienist, as he was then known, paying a two-week visit to Henry James at his Sussex retreat at Lamb House in Rye, with the intention of putting the novelist through a brief psychoanalysis.

"For the first time, so far as I am aware," Freud tells James at the outset, "a great writer is to be psychoanalyzed, and not from a text or a painting or a sculpture."

Although psychoanalysis is not usu-

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ally thought of as an adversary proceeding, one's first thought at the prospect of Henry James encountering Sigmund Freud is, What a match! We have in these men, as Yoder has Freud put it, "two different wayfarers in the quest of the mysteries of consciousness," with Freud of course staking a claim to have dove deeper, down into the murkier waters of the unconscious. As his friend Edith Wharton tells James, "This is an escapade worthy of one of your own tales." And in Edwin Yoder's capable hands it turns out to be just that.

The novel is set in the late summer of 1908. Henry James is 65, Freud 52. Freud arrives at the train station at Rye with a letter in his pocket from William James, his American confrere, the author of *Principles of Psychology* and, of course, Henry's older brother. William has set up this encounter, as he writes to Freud,

not only to promote a meeting between two far-ranging minds, allied as they are in the quest for the deep secrets of human consciousness; but also because I do worry a good bit about Harry's more eccentric preoccupations. They seem to me to exhibit what you and I might call a certain fetishism. Perhaps your term would be 'obsessional,' although without clinical study I would be slow to speak of 'neurosis' in Harry's case.

What William James is worried about, specifically, is the circumambulatory style in which his brother has composed his later novels, a style that he also applied to the revision of his earlier novels for the New York Edition of his fiction—a style that William could neither pierce nor abide. He was also worried about the adoption by Henry, who lifelong suffered from costiveness, of the method of digesting food known as Fletcherism, which called for chewing every mouthful of food 32 times, or 100 chews per minute, before swallowing. Freud never quite gets around to investigating these matters with any intensity, but he does subject Henry James to an analysis of sorts that nearly results in Freud's abandoning his own methods.

Yoder sets all this up very neatly. His story is told through a number of differently reflecting lenses. He has invented

a character named Horace Briscoe, a young American who is a summer guest at Lamb House while working on a doctoral dissertation about James's stories about artists and who reports on all he knows firsthand about the meetings between the novelist and Freud. He has created a correspondence on the subject of Freud, describing his intentions and his behavior, between James and Edith Wharton. And he has devised a record of notekeeping that Freud maintains while in Rye in which he comments on the progress of his psychoanalytic sessions with James. The pieces from all these sources match up and fit in nicely to form a mosaic-like rendering of the meeting of the two great minds.

Henry James is a one of a small number of gods residing in my personal pantheon. He is a writer about whom I am able to read almost everything, and have in fact read a vast deal. I believe I know a fair amount about James's life, both in its artistic and quotidian aspects. Yoder, on the evidence of this book, knows no less than I. With my radar turned all the way up, I have not been able to catch him out in a single mistake or false note in his detailed portrait of Henry James. He knows James's habits, the habits of his servants, his speech, his epistolary style, his supremely ironic point of view, what subjects he was ready to discuss (with astonishing circumlocution), and what subjects he placed permanently off limits. James's relationships with his brother, with the novelist Constance Fenimore Woolson, with the sculptor Henrik Andersen—all this Yoder works gracefully into his narrative. In his portrait of James, Yoder has, as the gymnasts say, nailed it, a perfect six.

The portrait of Freud is less full and thereby less persuasive. Freud, in fact, at times comes close to seeming a comic figure. The comedy begins with his sometimes lapsing into Germanic syntax: "Shall we be ein cab taking to Lamb House" is an example. Yoder involves Freud in a dust-up with a heretical archdeacon, who is a neighbor of James, in which the scientific Herr Doktor not only loses his cool but, at one point, is choked by the enraged clergyman.

Everywhere Freud finds sexual symbols in James's dreams and in his life. At one point, he writes in his notes, James "expressed surprise when I told him that the ear trumpet [of the hard-of-hearing Miss Woolson] might well be a displaced genital device, involving as it does the insertion of a 'shaft' into the aural orifice." Only toward the novel's end, when his report on his own analysis of Henry James is discovered, and it turns out to be in many ways balanced and sensible, does Freud regain stature.

Just at the center of the action in *Lions at Lamb House* Yoder constructs a romance between Horace Briscoe, who will eventually be the chronicler of the meeting between Freud and James, and the rather sexually advanced (for the time) niece of the heretical archdeacon. This is artfully done, and entertaining, but the true center of the novel is the meeting of the two masterminds.

Artists have always tended to step around psychoanalysis, finding something deeply repellent, if not comical, about it. Paul Valéry was suspicious of it. James Joyce called it "neither more nor less than blackmail." Vladimir Nabokov was perhaps most unrelenting in his disdain of Freudian doctrine, never passing up an opportunity to call its founder the "Viennese quack," or to characterize psychoanalysis as little more than using classic myths to cover up private parts, referring to "the oneiromancy and mythogeny of psychoanalysis." He detested what he took to be Freud's crude use of symbolism, with every symbol having a sexual meaning.

But what Nabokov, and all other artists along with him, most disliked about Freud's thought is its determinism. So much of fate, in Freud, is set, locked in for good, in the sexual patterns of early childhood. Literary artists see this as greatly delimiting the individuality and freedom of human beings in a world much more varied and richer than could be dreamt of in the philosophy of Sigmund Freud and his followers.

In *Lions at Lamb House*, Henry James, the consummate artist, shows less animus than detached amusement at Freud's venture of psychoanalyzing him. Bring it on, he in effect suggests, and shows himself, as William



James suggested in his letter to Freud, “genially skeptical of the more schematic interpretations of the human personality.” Freud, meanwhile, is respectful of James. He contended, after all, that everything he knew he learned from the poets. (“Everywhere I go I find a poet has been there before me,” he wrote.) Freud believed, for example, that “that ghost story [James’s *The Turn of the Screw*] offered yet another intimidating instance in which a supreme artist had anticipated, and even trumped, his own clinical findings—an angelic vaulting into the realms of the high imagination into which a poor clinical investigator could only toil step by tedious step.”

What we learn of the analysis itself comes chiefly from the journal notes Freud records about it and his later paper on the subject and James’s correspondence on the subject with Edith Wharton. As James writes to Miss Wharton: “I remain of the view that Freud’s mental ‘science,’ interesting as its insights occasionally are, is too schematic and mechanistic to account for the infinite, intricate shadings and vagaries of human consciousness.” And he writes to her again: Freud “concedes that we storytellers do sometimes intuit what he aspires to reduce to a systematic hydraulics of the consciousness, replete with valves & vents, taps & gauges, pipes & conduits.”

In Yoder’s novel, James finds Freud “a decent sort,” and even fears that he shall miss him upon his departure. None of which prevents him from thinking Freud quite wrong about his interpretation of *Hamlet* as incest-yearning, though he allows that he might be on “firmer ground” in his reading of *Oedipus Rex*. He holds that Freud is himself “a storyteller and a good one,” adding that psychoanalysis “aspires to science but is no less a form of storytelling than my own.”

Freud, for his part, faced with the brilliance of Henry James’s talk, “wondered at times who was the analyst and who the analysand.” In the end, after his stay of two weeks at Lamb House, Freud admits, to himself, his defeat: “My conclusion is that when one probes the unconscious of a great imaginative artist the powers of psychoanalysis are

diminished. Or as I would put it, before the problem of the creative artist analysis must, alas, lay down its arms. Have I said that before? Yes, I believe I have.” In fact, he says it much later, in his 1928 paper, “Dostoyevsky and Parricide.”

In one of their sessions James tells Freud that his speculations, if correct,

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would presage the end of literature, and that he “would leave nothing to the imagination, no work for storytelling to do. But my dear doctor, imagination is all.” At their final session, Freud says to the novelist: “Then we are at an impasse, and perhaps we may agree to leave it at that—you with your fine and subtle old art, I with my crude new science. . . . With that armistice our final session came to a friendly and philosophical but inconclusive end. I thought there would be a revelation, an epiphany at the end. But alas, no.”

Yet, many years later we learn that there nearly was such an epiphany, at least for Freud. When the 62-year-

old Horace Briscoe, now a professor at Johns Hopkins, is able to acquire from Freud’s daughter Anna her father’s paper on his brief analysis of Henry James, he learns that, in retrospect, Freud thought James “had had the better of the arguments.” Freud also notes that “there were indeed moments in his company when I was tempted to lay the sword of psychoanalytic science at his feet and apprentice myself to poetry. But the hour [for doing that] is late and I am old and weary.”

Edwin Yoder is very even-handed in his account of this debate between the artist and the analyst who believed he had come up with an irrefutable science of human behavior. As a writer, Yoder has a natural propensity to favor James, the artist over the analyst. Yet he holds out hope for psychotherapy, too, even allowing Henry James to concede the possible use of it, telling the young Horace Briscoe that “if psychological science could be devised and if people of ordinary talents could be trained as analysts, it would be useful to humanity since it would greatly expand the circle of human knowledge. But, my boy, those are very big ifs.”

But let us consider, as Yoder’s superior counterfactual novel encourages us to do, what would have happened *if* Sigmund Freud and Henry James had indeed met, and *if* James had caused Freud to lose confidence in his underlying assumptions and consequently to abandon psychoanalysis.

Ah, think of all the torture spared so many victims of psychoanalysis at the hands of later analysts who, over decades’ long analyses, rigidly applied Freud’s deterministic notions! Think of all the men instructed to resolve their Oedipus complexes by properly hating their fathers! Think of the grief saved so many at the hands of inferior therapists of various kinds, grotesque little mini-Freuds, dispensing cloddish advice! Think how different America over the past 75 years would have been without the influence of Freudianism everywhere eroticizing thought, relationships, and just about all other aspects of everyday life!

Here are some *what ifs* that could keep a lively mind engaged for months. ♦



# Clash of Titans

*Jim Thorpe and Ike meet on the field of friendly strife.*

BY SAMANTHA SAULT

On November 9, 1912, American history was very nearly altered during one ordinary event: two young men facing off on a college football field. One of them, Olympic gold medalist Jim Thorpe, was already an American hero. The other, West Point Cadet Dwight Eisenhower, dreamed of achieving that status.

In the course of a few brutal hours, one would almost forfeit his future for athletic glory, while the other had one final moment to shine.

*Sports Illustrated* reporter Lars Anderson's new book chronicles the history-making contest between the United States Military Academy and the Carlisle (Pa.) Indian School. Yet *Carlisle vs. Army*—although filled with sports trivia and lively athletic details—isn't entirely about football. Rather, it's a classic cowboys-and-Indians story: the cowboys of West Point, with impressive physical and mental prowess, battling the Indians of Carlisle, national football sensations.

Anderson's young stars, Thorpe and Eisenhower, strove to bring prestige to their schools, and themselves, with famous victories. And his narrative largely focuses on the Carlisle Indians, who hoped to vindicate their ancestors and "play the game of football better than the white man—and better than the sons of the military men who shared the same blood as the soldiers who pulled the triggers at Wounded Knee."

The major battle was the fateful 1912 encounter. The Indians' coach, the legendary Glenn "Pop" Warner, rallied his team before the game, telling them that this "was a chance to exact revenge for all the cold-blooded horrors that the white man had inflicted on their people in the past. It was the ancestors of these Army boys ... who had killed and raped the ancestors

of the Carlisle players." The Cadets, expecting a team of Olympians, were surprised to see the slight, "fragile" Indians (with the exception of Thorpe, of course) approach the field. But they would be overwhelmed by the Indians' groundbreaking technique and "the strength of Thorpe's golden right foot."

**Carlisle vs. Army**  
*Jim Thorpe, Dwight Eisenhower, Pop Warner, and the Forgotten Story of Football's Greatest Battle*  
by Lars Anderson  
Random House, 368 pp., \$24.95

Jim Thorpe was, perhaps, the most extraordinary man on the gridiron that day. He killed his first buck at age eight and began his successful college athletic career in track and field. He won multiple gold medals at the 1912 Stockholm Olympics, where five months prior to the Army-Carlisle match, King Gustav of Sweden told Thorpe, "Sir, you are the greatest athlete in the world."

Still, Dwight Eisenhower was impressive in his own right. Anderson's account of his rise from "Little Ike," the underdog from the wrong side of the tracks in Abilene, Kansas, to West Point football powerhouse and charismatic leader, is inspiring. The future five-star general and president, however, would not triumph against Carlisle. Yet Thorpe and Eisenhower were the perfect match-up: Both had entered college too small and weak to play varsity football, and both had played minor league baseball. By the time they met, Thorpe had become a massive man with "world-class speed and raw power" while Eisenhower "had the perfect temperament for an Army player. From snap to whistle on every play, he gritted his teeth and gave it his all."

Naturally, the West Pointers were eager to "Get Thorpe," and Eisenhower and his teammates plotted to hit him hard enough to take him out of the game. Readers may find Ike surprisingly savage in his attempts to injure Thorpe—but the hulking Indian was unaffected. After the first hit failed, Eisenhower and teammate Leland Hobbs tried again, but Thorpe implemented his "famed 'stop-start' move, and ... went from a full sprint to standing still in an eye-blink." Eisenhower and Hobbs collided, and Ike's knee was so severely injured that he would never again play football—and was only able to graduate from West Point because a generous doctor ignored his injury.

Pop Warner would also triumph at the game. An overweight target for bullies as a boy, he had failed the West Point entrance exams and lost large chunks of money gambling as a young man. But he would not only lead his Indian School team to



Dwight Eisenhower, 1912

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Jim Thorpe,  
1912



defeat West Point, he would also “shape the future of football” with his innovations in strategy and public relations.

At the risk of spoiling the game’s outcome for readers, the Indians beat the “white man” at his own game in their own style of football, a “fast-paced ballet of athleticism and grace.” But even for someone who knows the score, Lars Anderson’s account is worth reading for its rich details, particularly of the childhoods of two American heroes. The tragedy lies in the sharp divergence between Thorpe’s fate and Eisenhower’s. Although Ike’s injury ended his football career, and nearly ended his military career, he would eventually become supreme commander of Allied Forces in Europe during World War II and a two-term president of the United States. Thorpe, by contrast, never really succeeded in his post-collegiate careers in professional football and baseball. He became an alcoholic, unable to “find a consistent paycheck,” and died of a heart attack at 64.

The Army-Carlisle game was Jim Thorpe’s last heroic moment, while Dwight Eisenhower’s was yet to come. ♦



# Democracy at Home

*The promise and peril of universal suffrage.*

BY PETER BERKOWITZ

U ntil recently, at least by historical standards, democracy had a bad name.

In 1787, when state representatives gathered in Philadelphia to craft a constitution to replace the ineffective Articles of Confederation, democracy was identified with direct rule by the people and was considered a recipe for instability and injustice. In *Federalist* 10, James Madison rehearsed the conventional wisdom, which maintained that in a democracy “a common passion or interest will, in almost every case” seize a majority and impel it to tyrannize the minority.

“Hence it is,” Madison observed, “that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths.”

But also in *The Federalist*, on the basis of a new “science of politics,” Madison defended the unconventional conviction, embodied in the recently drafted Constitution, that the proper organization of government institutions could capitalize on democracy’s virtues, contain its disadvantages, and thereby render it an ally of liberty.

By enlarging the republic and multiplying the number of interests and

thus reducing the impact of any one of them; by using schemes of representation to filter and refine the people’s preferences; by separating, checking, and balancing governmental powers; and by further diffusing power among federal and state government, the Constitution did go a long way toward taming democracy’s wayward tendencies. Two hundred and twenty years later, the nation

has vindicated Alexander Hamilton’s hope, expressed in the first installment of *The Federalist*, that America would prove to the world that individual freedom and democratic self-government belong together, and that together they represent a universally desirable form of government.

To be sure, the world needed some convincing. A century ago, only 10 countries in the world were democratic. Europe remained the home of monarchy and empire. Great Britain, though increasingly democratic domestically, ruled its colonies autocratically. Then World War I, which destroyed Europe’s old order, ushered in the rise of communism and fascism, both of which threatened to defeat and destroy democracy. Led by the United States, which emerged as the mightiest of them, the democracies prevailed, first in World War II and then in the Cold War. Beginning in the 1970s, by which time the number of democracies had reached 30, a wave of democratization swept the globe. In the last three decades the number of democracies has more than tripled. Today, no fewer than 119, or nearly two-thirds, of the world’s countries are democratic, even as the rise of

**Democracy’s Good Name**  
*The Rise and Risks of the World’s Most Popular Form of Government*  
by Michael Mandelbaum  
PublicAffairs, 336 pp., \$27.95

*Peter Berkowitz, the Tad and Dianne Taube senior fellow at Stanford’s Hoover Institution, teaches at the George Mason School of Law, and serves as a senior foreign policy adviser to Rudolph Giuliani’s presidential campaign.*



Islamic extremism and autocracy in Russia and China threaten democracy's progress.

Michael Mandelbaum's excellent and broadly accessible book seeks to account for democracy's success, and to assess the prospects for its extension. Mandelbaum, a professor of American foreign policy at the Johns Hopkins School of Advanced International Studies, is cautiously optimistic.

To understand democracy's rise and its current golden reputation, he argues, it is necessary to appreciate, as even learned commentators seldom do, that "what the world of the twenty-first century calls democracy is, in fact, a fusion of two political traditions that, for most of recorded history, were not only separate and distinct from each other but were seen by virtually all those who took an interest in politics as entirely incompatible." This fusion of liberty and popular sovereignty, or rule by the people through free, fair, and regular elections, produced "a hybrid political form" that has proved remarkably resilient.

Neither of the two component parts alone provides all the goods that we have come to associate with democracy. Absent either, democracy as we have come to know it is unthinkable:

Liberty belongs to individuals; self-government to the community as a whole. Liberty involves what governments do, or, more accurately, what they are forbidden to do—they are forbidden to abridge individual freedoms. Self-government, by contrast, has to do with the way those who govern are chosen—they are chosen by all the people. Self-government therefore answers the question of *who* governs, while liberty prescribes rules for *how* those who govern may do so. Liberty refers to the way the machinery of government operates, self-government to the identity of the operators.

Nor are the component parts equal. Liberty comes first; popular sovereignty is the time-tested means to securing it. Absent a commitment to individual rights and the rule of law, elections have proven over the last several decades (just as the bleak history Madison invoked in *Federalist* 10 suggested) an excellent vehicle for the tyr-

annizing of minorities and the mobilizing of majorities for wars of acquisition and conquest.

Mandelbaum shows that the fusion of liberty and popular sovereignty in what is best referred to as liberal democracy depended on a variety of developments. The diffusion of the norm of equality, which Tocqueville identified as the dominant feature of the modern world, undermined the claims of monarchy and empire, and reinforced the idea that individual rights were the common property of all mankind. The rise in the 19th century of nationalism—the belief that those who shared a common language, culture, and history had the right and responsibility to rule themselves—further eroded the political claims of kings and autocrats.

Increasingly, commitments to liberty and popular sovereignty led to demands for universal suffrage, which, when achieved in the West in the 20th century, enhanced respect around the globe for liberal democracy's integrity. Moreover, the rise of the welfare state—which moderately redistributed wealth to compensate for the vagaries of the marketplace while allowing the ambitious to make the most of their economic choices and to amass fortunes—ensured that not only the middle class but the rich and poor would have a stake in the state's stability and prosperity.

Of course, the rise of liberal democracy involved adversaries and reversals. In the 19th and 20th centuries, nationalist energies destabilized the international order by delegitimizing existing imperial borders and licensing wars waged by newly emancipated groups against minority ethnicities. Moreover, the 20th century witnessed the rise of a new kind of leader, both fascist and Communist. While claiming democratic legitimacy, these dictators were returned to office by elections that were neither free nor fair.

Their claim to rule in the people's interest was belied by the totalitarian regimes they built, which menaced individual liberty to an unprecedented extent. Meanwhile, the triumphant lib-

eral democracies *did* protect individual liberty and *did* enjoy democratic legitimacy. Their popular appeal has made liberal democracy the world's most popular form of government.

Part of that popularity is due to the good reputation liberal democracy has earned. Most liberal democracies are so by choice, the people having embraced liberty and popular sovereignty and the benefits they had ample reason to believe would follow. Not least, they were attracted to liberal democracy's superiority in producing goods and services, demonstrated dramatically by England's exporting of the Industrial Revolution around the world in the 19th century and confirmed in the 20th century by the rise of the American economy as the world's most innovative and powerful. Moreover, liberal democracy also proved tough, prevailing in World War I, World War II, and the Cold War, the three great military tests of the 20th century.

Its appeal, however, is not enough to account for liberal democracy's worldwide success. Without the proper material and moral preconditions, it could not have taken root and grown strong. Above all, Mandelbaum stresses the role of free markets, which provide not only economic growth but also a school in the qualities that liberal democracy depends on.

Private property presupposes and fosters respect for rights and the rule of law. Economic freedom rewards citizens who learn to form organizations and cooperate for mutual advantage, encouraging them to resolve controversies through compromise and negotiation. And participation in a functioning free market teaches citizens that, when disputes break out about contracts or responsibility for accidents, government can be trusted to provide an impartial umpire.

The worldwide spread of liberal democracy is good for the United States and, in general, for international order, according to Mandelbaum. Political scientists, picking up on observations by Montesquieu and Kant, are largely right: Liberal democracies tend not to go to war with one another. The people are less inclined than kings and

dictators to send themselves into battle. And commerce and trade, which accompany liberal democracy, create profitable relationships across borders that greatly increase the cost of war and the pleasures of peace.

Mandelbaum, however, adds a crucial caveat: The transition from autocracy to democracy, particularly through the premature introduction of elections, can (as in the Balkans in the 1990s) unleash violence and war.

The benefits of the spread of liberal democracy, along with the dangers of abrupt transition from autocracy, make especially pertinent, Mandelbaum points out, a consideration of the prospects for Russia, China, and the larger Arab world. He might well have added Iran. In approaching the issue, Mandelbaum emphasizes that whereas holding elections is relatively easy, establishing liberty is difficult, because it depends on qualities and beliefs that can take a generation or more to acquire. And he warns against taking the wrong lessons from the greatest success stories of the 20th century. The cases of Germany and Japan involve distinctive circumstances: Both suffered devastating military defeats that thoroughly discredited the old order; both were ethnically homogeneous; and both had previous experience with market economies and elections.

Russia and China are great powers that pose the possibility of combining capitalism with authoritarianism. Russia, in Mandelbaum's view, presents the best chance of a peaceful democratic transition. More than 15 years after the collapse of communism in Eastern Europe and the dissolution of the Soviet Union, Russia has adopted democratic trappings, but its elections are not free and fair, and the government's powers are not effectively limited.

On the positive side of the ledger, the Russian government no longer aggressively inculcates habits of subservience and conformity. Moreover, the population is largely literate and middle class; huge advances in transportation and communication have opened Russia up to the free world; and the decline of military threats

from the West has weakened the traditional argument made by Russia's autocratic rulers that they need unlimited powers to defend the nation. To take advantage of these trends, Russia will have to avoid the temptation to grow steadily more dependent on its enormous natural gas and oil reserves, which would empower the government while weakening the economy's free-market dimensions.

After the introduction of reforms 25 years ago, China's economy has roared ahead—it is likely to surpass that of the United States sometime this cen-

*The sobering lesson to draw from this cautionary example is that America's vital national interest in the spread of liberty and democracy requires it to dedicate itself to gaining cultural knowledge of its rivals.*

tury as the world's largest—even as the Communist party has resisted any significant movement toward democracy. At the same time, China is home to a small but growing middle class and civil society. And trade, tourism, and the Internet have given the Chinese people unprecedented opportunities to observe liberal and democratic ways.

Still, the party maintains a tight grip on power, it enjoys legitimacy among wide swaths of the people, and the state lacks even the formal democratic institutions found in Russia. If impetus for liberal and democratic change is to come, it will come, as in Russia, from the salutary influence of the market, and the pressure for limited and elected government that economic growth tends to bring.

Mandelbaum is least optimistic about democratic development in the

Arab world, which has never seen genuine liberal and democratic government, and lacks the social, cultural, and economic preconditions. Moreover, the antidemocratic forces in the Arab world are strong. The countries tend to be religiously and ethnically heterogeneous, which leads to sectarian strife. Oil reserves are generally owned by the state; the larger they are the more they tend to stunt other areas of economic growth.

In addition, Islam's fusion of religion and politics creates a bias against individual liberty and popular sovereignty, subordinating both to religious leaders' interpretation of sacred law. The people's cultural memory of (and resentment at) the Christian West's centuries-long economic and political domination has been aggressively exploited by Arab autocrats, who have fomented suspicion of liberty and democracy as foreign and subversive. Finally, the effort to promote liberal democracy in Iraq has proven to be, in Mandelbaum's tempered formulation, "a cautionary example of the difficulties and dangers of trying to build one quickly and from scratch in conditions powerfully unfavorable to its establishment."

Taking account of the larger picture, the sobering lesson to draw from this cautionary example is that America's vital national interest in the spread of liberty and democracy requires it (as it did in the 1950s and '60s in the face of the Soviet threat) to dedicate itself to gaining cultural knowledge of its rivals. The United States must also develop state-building competence while coming to grips with the limits of its capacity to effect reform in far-away lands. And it must appreciate the reciprocal connections between liberty and democracy abroad and at home.

For while the survival of liberty at home is related to the success of liberty abroad—as President Bush, echoing a venerable principle of American foreign policy, declared in his second inaugural address—it is also true, as Michael Mandelbaum maintains in this measured and instructive book, that the spread of liberty abroad depends on the example the United States sets at home. ♦



# Poet as Pessimist

*From a desolate life comes transcendent work.*

BY JOHN SIMON

In his valuable collection of essays and reviews, *Required Writing*, Philip Larkin wondered—in a piece about Sir John Betjeman—“Can it be that, as Eliot dominated the first half of the twentieth century, the second half will derive from Betjeman?” Larkin and Betjeman were friends, and I see the remark as a friendly tribute. To me, the characteristic poet of that period was Philip Larkin. And this new, extremely useful book, *Philip Larkin: The Poems*, by Nicholas Marsh, should make this abundantly clear without making the claim in so many words.

Larkin was the *homme moyen sensuel* (an oft-quoted phrase, by the way, whose origin remains obscure) par excellence. Average he was in his, in many ways, very English provincialism; sensual, in his seemingly unrequited libido, despite some sexual relationships. But special, too, with his two fine novels and his major poetry.

In the same piece about Betjeman, Larkin wrote, “It was Eliot who gave the modernist poetic movement its charter in the sentence ‘Poets in our civilization, as it exists at present, must be difficult,’” which Larkin felt Betjeman disproved. But that nimble versifier was hardly the poet of our complex age, who had to confront his own unimportance in an industrial-capitalist society. The glibly bourgeois Betjeman did not feel himself an outsider, as the true poet of the age cannot help being.

What makes Larkin’s poems especially interesting is that they can be read as autobiography, which most other

poets’ cannot. Martin Amis, son of Kingsley, who knew Larkin well, writes: “Life was happening to Larkin, but he had no talent for that, remaining to the end, single, childless and site-tenacious. . . . He hugged melancholy to him in the poems—for the poems, it might even have been. . . . Unhappiness is ordinary and everyday and in abundant supply.” So the poems serve as therapy, as Amis sees it,

alleviating life. Alleviating also, I would add, a reader’s unhappiness, finding a companion in misery.

Grossly oversimplified, Larkin was the poet of social and sexual fumbling, of maladjustment and insecurity, atheism and the fear of death, who consoled himself as best he could with satire of the world and mockery of himself. What follows owes a good deal to Marsh’s book which, though primarily intended as a textbook for a Larkin seminar, makes equally good reading for the non-seminarian.

Larkin was born in 1922 in Coventry, where his father was borough treasurer. Sydney Larkin was an autocrat and Hitler admirer who treated his wife, Eva, as a house servant. Not a happy family situation, even though Sydney, though strict, was often helpful to his son.

On a scholarship to Oxford, Philip—an awkward, gangly youth with thick glasses and a stammer—was not popular, though he made a few lasting friendships, notably with Kingsley Amis. Failing in other directions, Philip settled on librarianship as a career, and slowly worked his way up as assistant librarian in Wellington, Leicester, and Belfast, becoming full librarian at the University of Hull until his death in 1985. Wherever he was, he greatly improved

the library and, on the whole, enjoyed his work until the 1970s and ’80s, when funds diminished and computers, which he disliked, came in.

It can be argued that the lion’s—or at least lioness’s—share of his troubles stemmed from misfortune with women. He tells it variously in several poems; for example, in “Letter to a Friend about Girls,” the friend being Kingsley Amis. It reads in part:

*I see how I've been losing: all the while  
I met a different gauge of girls from yours.  
Grant that, and all the rest makes sense as  
well. . . .  
Everything proves we play in separate  
leagues. . . .  
. . . haven't you noticed mine?  
They have their world, not much com-  
pared with yours,  
But where they work, and age, and put off  
men  
By being unattractive or too shy,  
Or having morals—anyhow none give in.*

There were only five documented sexual relationships in Larkin’s life. Widowed, Eva became dependent on her son, often living with him and cramping his style. On the other hand, as he was mortally afraid of marriage and fatherhood, caring for her became, for many years, a handy excuse for not committing to any woman.

The first girlfriend was the novelist Patsy Avis, later Strang, who, though married, had a miscarriage by Larkin and incorporated him in a novel. To Ruth Bowman, whom he met when she was 16, he became briefly engaged, but the spotty affair (rarely consummated because of her Catholicism) dragged on for seven years.

His truly lasting relationship, for a while overlapping with Ruth, was with Monica Jones, a strong-minded university lecturer in English. They became lovers in 1950, but didn’t live together until, sick, she moved into his house for his last two years. Concurrently, he carried on with Maeve Brennan, a fellow librarian at Hull, in a naive and escapist relationship. She represented Larkin’s need for parallel involvements to prevent full commitment to either lover.

Brennan’s theory was that the “dichotomous” Larkin distinguished

John Simon writes about theater for Bloomberg News.



between love, an illusion, and sex, a reality; when an affair turned into reality, it came to eventual grief.

The last, very easygoing affair (no talk of dreaded marriage) was with Philip's secretary, Betty Mackereth, begun the very year when the affair with Brennan was finally consummated.

As Clive James reminds us in an essay cleverly entitled "Don Juan in Hull," Larkin published only one collection of poems per decade. This betokens neither indolence nor infertility, only painstaking revisions, often stretching, with interruptions, across the years. This is well documented in Anthony Thwaite's presumably definitive edition of the *Collected Poems*, which includes some worthwhile unfinished efforts as well as less interesting juvenilia, written in the shadow of Yeats, Hardy, and Auden.

The four collections are *The North Ship* (1945), *The Less Deceived* (1955), *The Whitsun Weddings* (1964), and *High Windows* (1974). Some poems did not make it into these collections, and a small handful was written after them. Still, when you consider how much Auden, Hardy, and Yeats produced, this was a rather modest output. (But then, think of Eliot, Housman, and Ransom.) Yet, as Marsh demonstrates, what mastery was here in rhyme and off-rhyme, meter and stanza, enjambment and imagery—forms a consistency that made up for in frequency.

Though not among the good many critics quoted by Marsh, Clive James has come up with some poignant and pertinent formulations. For him, Larkin is the poet of despair made beautiful, with "not a trace of posturing." Like Leopardi, Larkin is "disconsolate yet doomed to being beautiful." This results in "purity—a hopeless affirmation of the only kind we want to hear when we feel, as sooner or later everybody must, that life is a trap." To this I would add another dichotomy in Larkin, one well defined by the great Spanish Jesuit writer Baltasar Gracián 370 years ago: *O life, you should never have begun, / But since you did, you should never end!*

Time now to look at a typical Larkin poem, "High Windows."

*When I see a couple of kids  
And guess he's f—g her and she's  
Taking pills or wearing a diaphragm,  
I know this is paradise*

*Everyone old has dreamed of all their  
lives—*

*Bonds and gestures pushed to one side  
Like an outdated combine harvester  
And everyone young going down the long  
slide*

*To happiness, endlessly. I wonder if  
Anyone looked at me, forty years back,  
And thought, That'll be the life;  
No God any more, or sweating in the dark*

*About hell and that, or having to hide  
What you think of the priest. He  
And his lot will all go down the long slide  
Like free bloody birds. And immediately,*

*Rather than words comes the thought of  
high windows:  
The sun-comprehending glass,  
And beyond it, the deep blue air, that  
shows  
Nothing, and is nowhere, and is endless.*

Four stanzas of the accessible, conversational Larkin, turning in the fifth into the highly imaged, elliptic, elitist, ambiguous Larkin—obscure, as James would have it, "out of over-refinement."

Are these the high windows of a church or of a high-rise? Either way, they capture the sun of ostensible clarity and hopefulness, but beyond it is the infinite empty sky: nothingness, beautifully conveyed through the fatalistic triple thump of the closing line.

To go from metaphysical fiasco to the more personal one, consider "Annus Mirabilis," starting with:

*Sexual intercourse began  
In nineteen sixty-three  
(Which was rather late for me)—  
Between the end of the Chatterley ban  
And the Beatles' first LP.*

The family is no help, and neither is history, as we learn from "This Be the Verse":

*They f—k you up, your mum and dad.  
They may not mean to, but they do.  
They fill you with the faults they had  
And add some extra, just for you.*

*But they were f—d up in their turn  
By fools in old-style hats and coats,  
Who half the time were soppy-stern*

*And half at one another's throats.*

*Man hands on misery to man.  
It deepens like a coastal shelf.  
Get out as early as you can,  
And don't have any kids yourself.*

Do society, socializing with others, help? Not so, as "Vers de Société" tells us:

*I could spend half my evenings, if I  
wanted,  
Holding a glass of washing sherry, canted  
Over to catch the drivels of some bitch  
Who's read nothing but Which . . .*

Similarly, in "Reasons for Attendance," the speaker stands outside *the lighted glass / To watch the dancers inside*, interested but unjoining. In "The Whitsun Weddings" he is on a train to London, mounted at various stops by wedding couples seen off by ridiculous wedding parties: *fathers had never known / Success so huge and wholly farcical*. To Larkin, these weddings are "a religious wounding." Even so, seclusion may not be the solution either, as *sitting by a lamp more often brings / Not peace, but other things*.

And religion? In "Church Going," we find the bicycling atheist nevertheless drawn to an empty church: *Hatless, I take off / My cycle-clips in awkward reverence*. He observes that *superstition, like belief, must die, / And what remains when disbelief has gone?* He concludes that the church is "a serious house,"

*And that much never can be obsolete,  
Since someone will forever be surprising  
A hunger in himself to be more serious,  
And gravitating with it to this ground,  
Which, he once heard, was proper to grow  
wise in,  
If only that so many dead lie round.*

But religion is not the answer to the fear of death, as "Aubade" states:

*No trick dispels. Religion used to try,  
That vast moth-eaten musical brocade  
Created to pretend we never die.*

*It is no cure for*

*. . . the total emptiness we travel to  
And shall be lost in always. . . .*

Courage is no good:  
It means not scaring others. Being  
brave  
Lets no one off the grave.  
Death is no different whined at  
than withstood.

Work is no solution, either. It is, as “Toads” says, something that squats on the poet’s life: *Six days of the week it soils / With its sickening poison— / Just for paying a few bills! / That’s out of proportion!* “The Building,” which awaits all of us, is a terrifying poem about a hospital waiting room. “Wild Oats” is really about Ruth, whom he meets in the company of “a bosomy English rose,” whom he dare not accost, but settles instead for seven years with “her friend in specs I could talk to.” But that, too, ends because *I was too selfish, withdrawn, / And easily bored to love.*

“I Remember, I Remember” reminds us that we cannot blame things on our particular geographical constrictions: “Nothing, like something, happens everywhere.” And, to return to “Reasons for Attendance,” as some opt for sociability and some for withdrawal, *both are satisfied, / If no one has misjudged himself. Or lied.* Gloom and doom everywhere.

As Marsh puts it, “Larkin’s subject matter is the neurotic post-war male, and nobody does him better.”

Larkin was the unofficial head of The Movement, an influential group of poets who strove to bring poetry down from the clouds of romantic rhetoric. They included Kingsley Amis, John Wain, D.J. Enright, Elizabeth Jennings, and Robert Conquest. He was also a great but selective enthusiast of jazz, about which he published a volume of essays, championing the music of Louis Armstrong, Sidney Bechet, Duke Ellington, Bessie Smith, and Bix Beiderbecke, against the likes of Charlie Parker, Miles Davis, and such. A radical, if you will, in his espousal of jazz, but a conservative radical, as in most things. So, too, in



Philip Larkin

his editing of *The Oxford Book of Twentieth Century English Verse*, where many of his selections were highly conservative for such an innovator.

Here some of Marsh’s pertinent observations are called for. Thus, Marsh argues that

There is a sense in which Larkin’s whole oeuvre can be said to be about writing, since so much is devoted to exploring interactions between a lone, isolated speaker and the world he observes; and to constructing a permanent uncertainty about what he feels, what he thinks, and what he wants and why he wants it.

He goes on: “Despite [Larkin’s]

assiduous self-characterization as an indecisive, misanthropic, irritable and irritating man, the poems remain entertaining, pleasing, and fascinating. Why?” Marsh offers 15 compelling reasons well worth pondering. Chief among them, for me, is that “balanced structures are pleasing . . . [they] constitute the ‘shape’ of a Larkin poem: this is its aesthetic appeal, its ‘beauty.’ Each poem is a closed system, made up of contrary energies held in equilibrium.”

Marsh also addresses the grim revelations about Larkin’s character, disturbingly emerging from his biography and letters, posthumously published in the early 1990s. For many, the problem arose from what Lisa Jardine described as “a steady stream of casual obscenity, throw-away derogatory remarks about women, and arrogant disdain for those of different skin colour or nationality”—“rotten with class-consciousness,” Germaine Greer weighed in.

Alan Bennett, a big fan, wrote, “I could not see how [the poems] would emerge unscathed. But I have read them again, and they do.”

I would agree with David Lodge, whose take was, “Revelations about a writer’s life should not affect our independently formed critical assessment. They may, however, confirm or explain reservations about it.”

In life, Larkin may not have been as pessimistic as in his poetry. In a letter of January 13, 1985, he wrote a friend that he was happily able to replace his favorite Parker pen, which developed a leak, with its exact replica. Though no longer made, parts, as a salesman assured Larkin, would be available for 10 years. “That’ll see me out,” Larkin concluded.

Ten years? By December 2, he was dead. I wonder who inherited the pen. ♦



# The Tort Movie

*'Melodrama . . . at perfect pitch.'*

BY JOHN PODHORETZ

**F**latten *Michael Clayton* into a series of plot points, and George Clooney's new movie is just the same left-wing lawyer flick Hollywood has been making for decades. There have been so many of these movies by now— . . . *And Justice For All*, *The Verdict*, *Class Action*, *Philadelphia*, *The Rainmaker*, *A Civil Action*, *Erin Brockovich*, *Changing Lanes*—that they comprise a genre of their own. We can call this genre the Tort Movie.

In the Tort Movie, an evil corporation is killing people with a device or substance that is defective or carcinogenic. A class-action lawsuit is filed that causes a magical document to surface from the depths of the corporation's files—a document proving everyone at the highest levels of the corporation knew about the danger beforehand. In the end, the power to destroy the corporation comes to rest in the hands of one lone lawyer, who always happens to be a deeply flawed person susceptible to personal corruption.

The Tort Movie offers an intrinsically appealing melodramatic formula that indulges an audience's lower tastes while pretending to aspire to greater artistic heights. It's a wild conspiracy fantasy with a convenient MacGuffin (the document that blows the case wide open), but it always comes clothed in the more respectable guise of a character study. The Tort Movie genre is sufficiently established by now that it has its own in-joke. That would be an appearance by the director Sydney Pol-

lack—always an unmitigated joy as an actor—playing the smooth, straight-talking, Machiavellian embodiment of the high-priced New York lawyer. Pollack has been the exact same character in three Tort Movies: first *A Civil Action*, then *Changing Lanes*, and now *Michael Clayton*.

Pollack is at his very best in *Michael Clayton*, which is the best of the Pollack Tort Movies.

In fact, *Michael Clayton* is by leagues the best Tort Movie ever made—a small classic and the most riveting Hollywood film in memory. This is melodrama played at perfect pitch. It is hushed and dark, ominous and suggestive, full of subtle character strokes and anchored by a stunningly focused central performance by George Clooney.

Michael Clayton is the odd man out at his white-shoe firm. He doesn't litigate, he doesn't write briefs, he doesn't bill hours. He's a fixer—the man the firm uses when its high-dollar clients need to deal with an inconvenient arrest for drug possession or flee the site of a car accident. He is also responsible for baby-sitting the firm's finest litigator, Arthur Edens (a great Tom Wilkinson), a manic-depressive who has, on occasion, stopped taking his medication.

The action takes place over four days, as all the strands of Clayton's life begin to unravel at the same moment that one of his firm's most profitable cases begins to unravel—Edens's defense of an agribusiness conglomerate clearly based on Archer Daniels Midland in a case involving a cancer-causing defoliant. The conglomerate's general counsel is

the tightly wound Karen Crowder (Tilda Swinton, the only overactor in an otherwise consummate cast).

Writer-director Tony Gilroy shatters the movie's four days into shards and scatters them throughout the film. Each shard follows one of these three desperate characters—Clayton, Edens, and Crowder—as their increasingly desperate conduct begins to affect the others in dangerous and terrible ways. We don't quite get what is going on in the first 10 minutes of the film, but then, in a masterful and confident narrative stroke, Gilroy replays those same 10 minutes later in the film and makes total sense of them without boring us for a second.

Gilroy is a meticulous filmmaker. He works hard to get the details right—the precise design of the agribusiness's logo, Karen Crowder's exhaustive rehearsal of go-getter corporate rhetoric for an in-house PR film, the unnecessarily unpleasant attitude of the managing partner of Clayton's firm. Because he anchors the movie in hyperrealism, he frees himself to turn the New York streetscapes and office settings into film-noir abstractions that are beautiful and menacing at the same time.

Since the plotline of the Tort Movie is already so familiar, the only way to make it fresh is to come up with a new way to play it. Gilroy's fancy-pants storytelling is what makes *Michael Clayton* stand out as the best Tort Movie ever made. And in a genre with many memorable performances, especially Paul Newman's in *The Verdict*, George Clooney has outdone himself and outdone all his predecessors. Somehow, and I'm not sure how, he makes Michael Clayton heartbreaking—a victim of a kind, and a villain of a kind, a man who makes his living by getting people to like him and who loathes himself for it.

If you are, like me, a firm believer in the need for tort reform, you may hate yourself as much as Michael Clayton does for loving the movie about him. But that is the occasional price of being a moviegoer with sensible politics. If you can't check them at the door, you should probably forgo *Michael Clayton*. If you can, though, you will see an extraordinary movie. ♦

**Michael Clayton**  
Directed by Tony Gilroy



John Podhoretz is THE WEEKLY STANDARD's movie critic.



**Congratulations to Newsweek for correctly identifying one out of six photos in the article 'Rudy's Neocons' in their Oct. 15 issue.**

# Not A Parody

trips to Israel

## RUDY'S RIGHT HANDS

Will Giuliani make us safer? His foreign-policy team boasts some of the Bush era's most assertive neoconservatives. They include:



**NORMAN PODHORETZ**

The latest book by neocon maestro Podhoretz, "World War IV," warns that radical Islam poses a greater threat than communism or Nazism did. He wrote an essay, "The Case for Bombing Iran," subtitled "I hope and pray that President Bush will do it."



**MARTIN KRAMER**

The conservative think tanker has been sharply critical of American scholarship on the Middle East. His blog argues that America should be more concerned with bringing down "Islamist zealots ... who detest America" than in democracy-building.



**DANIEL PIPES**

The historian founded the Middle East Forum, which advocates for "fighting radical Islam, whether terroristic or lawful" and "countering the Iranian threat." The Web site he started, Campus Watch, opposes anti-American and anti-Israel bias.



**PETER BERKOWITZ**

Giuliani's senior statecraft, human-rights and freedom adviser, Berkowitz—a professor at George Mason Law School—is a champion of philosopher Leo Strauss, the inspiration for many of the neoconservatives' policy stances.



**NILE GARDINER**

The former Thatcher adviser is director of the Margaret Thatcher Center for Freedom, which shapes "U.S.-British policy towards rogue states." Gardiner says we're in "another Munich moment" with Iran and has likened Mahmoud Ahmadinejad to Hitler.



**ROBERT KASTEN**

Kasten, a former U.S. senator, consistently supported aid to Israel and sided with Reagan neocons in the '80s. He also crossed swords with the U.N. over its "coercive" family planning and favored cutting aid to countries that don't vote with the United States at the U.N.

taking advice from, Giuliani knows that the impression that he can make Americans safer than Hillary Clinton could ultimately bring him the nomination and the presidency.

With Sarah Elkins and Steve Tuttle

*Editor's Note: In our print edition, several captions for the photographs accompanying this report were inadvertently transposed. Martin Kramer's photograph is identified as Norman Podhoretz; Daniel Pipes's photograph is identified as Kramer; Peter Berkowitz's photograph is identified as Pipes; Nile Gardiner's photograph is identified as Berkowitz's and Podhoretz's photograph is identified as Gardiner's. NEWSWEEK regrets the errors.*

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the weekly  
**Standard**

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